

Henry Patrick Nelson, CSB #32249
 Amber A. Logan, CSB #166395
 Rina M. Mathevosian, CSB #251423
Nelson & Fulton
 Equitable Plaza, Suite 2800
 3435 Wilshire Boulevard
 Los Angeles, CA 90010-2014
 Tel. (213)365-2703 / Fax (213)365-9130
nelson-fulton@nelson-fulton.com

Attorneys for Defendant,
 County of Los Angeles and Sheriff Baca

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

LECIA L. SHORTER,	)	CASE NO. CV 12-7337 JVS (AGR)
)	
Plaintiff,	)	JOINT STIPULATION OF THE
	)	PARTIES REGARDING DEFENDANT
v.	)	COUNTY OF LOS ANGELES AND
	)	SHERIFF LEROY BACA'S MOTION
LEROY BACA, et al.,	)	TO COMPEL PLAINTIFF'S RESPONSE
	)	TO INTERROGATORIES, REQUEST
	)	FOR PRODUCTION OF DOCUMENTS,
Defendants.	)	AND REQUEST FOR ADMISSIONS
)	
	)	Date: October 29, 2013
	)	Time: 10:00 a.m.
	)	Place: Courtroom B
	)	Judge: Hon. Alicia G. Rosenberg
)	
	)	Discovery cut off: September 6, 2013
	)	Pre trial Conference date: TBD
	)	Trial date: TBD

The parties hereby proffer this joint stipulation regarding disputed discovery propounded by the defendants, County of Los Angeles and Sheriff Baca, to the plaintiff Lecia Shorter, pursuant to Local Rule 37-2.

TABLE OF CONTENTS

	Page
I. DEFENDANTS' INTRODUCTORY STATEMENT	3
II. PLAINTIFF'S INTRODUCTORY STATEMENT	3
III. DISPUTED DISCOVERY	5
A. DEFENDANT SHERIFF BACA'S REQUEST FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF SHORTER	5
DEFENSE'S CONTENTIONS	25
PLAINTIFF'S CONTENTIONS	26
B. SHERIFF BACA'S REQUEST FOR ADMISSIONS TO PLAINTIFF SHORTER [SET ONE]	27
DEFENSE'S CONTENTIONS	32
PLAINTIFF'S CONTENTIONS	32
C. SHERIFF BACA'S INTERROGATORIES TO PLAINTIFF SHORTER [SET ONE]	33
DEFENSE'S CONTENTIONS	43
PLAINTIFF'S CONTENTIONS	43
D. COUNTY OF LOS ANGELES INTERROGATORIES TO PLAINTIFF SHORTER [SET ONE]	44
DEFENSE'S CONTENTIONS	48
PLAINTIFF'S CONTENTIONS	48
E. COUNTY OF LOS ANGELES REQUEST FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF SHORTER [SET ONE]	49
DEFENSE'S CONTENTIONS	64
PLAINTIFF'S CONTENTIONS	64
F. PLAINTIFF'S FAILURE TO MAKE RULE 26 DISCLOSURES: DEFENSE'S CONTENTIONS	65
DEFENSE'S CONTENTIONS	65
PLAINTIFF'S CONTENTIONS	65
CONCLUSIONS	67
DECLARATION OF RINA MATHEVOSIAN	68

I.**DEFENDANTS' INTRODUCTORY STATEMENT**

On May 3, 2013, Defendant County of Los Angeles' and Sheriff Leroy Baca served Interrogatories on Plaintiff (Set one) and Requests for Production of documents (Set one). Sheriff Baca also served Request for Admissions (Set one).

On May 30, 2013, Plaintiff Shorter served responses to Sheriff Baca's Request for Admissions. On June 6, 2013, Plaintiff Shorter served responses to Defendant Sheriff Baca's Special Interrogatories. On June 8, 2013, Plaintiff served responses to County's Special Interrogatories. On June 11, 2013, Plaintiff Shorter served responses to Defendant Sheriff Baca's Request for Production of Documents. On June 11, 2013, Plaintiff Shorter served responses to County's Request for Production of Documents.

Upon receiving Plaintiff's discovery responses, Defendants' counsel advised Plaintiff via telephone that her discovery responses were deficient. On August 23, 2013, defendants' counsel e-mailed and mailed Plaintiff a letter outlining the deficiencies in Plaintiff's discovery responses. On September 5, 2013, defendants' counsel met and conferred with Plaintiff in person in regards to Plaintiff's deficient discovery responses.

On September 6, 2013, Defendant County of Los Angeles e-mailed Plaintiff the Defendants portion of the Joint Stipulation.

Defendants, County of Los Angeles and Sheriff Baca, submit this Joint Stipulation along with the Notice of Motion to Compel pursuant to Federal Rules of Civil Procedure, and Declaration of Rina M. Mathevosian in support thereof, requesting that the Court order Plaintiff to provide discovery responses pursuant to Federal Rules of Civil Procedure.

II.**PLAINTIFF'S INTRODUCTORY STATEMENT**

On August 6, 2013, after four months of exhaustive effort toward informal resolution, Plaintiff wrote counsel for Defendants to request a Rule 37-1 discovery conference. On August 12, 2013, Plaintiff telephoned counsel for Defendants to schedule a date for the Rule 37-1 conference. It was during this telephone conversation that counsel

1 for defendants briefly mentioned for the first time that there were issues with Plaintiff's
2 discovery responses. The discovery responses were served around the beginning of June
3 and at no time prior to August 12, 2013 did counsel for Defendants contact Plaintiff. In
4 fact, during the August 12, 2013 conversation, counsel for Defendants did not address the
5 substantive issues concerning Plaintiff's discovery responses. She simply mentioned that
6 she would like to include those responses during the Rule 37-1 conference.

7 The parties originally agreed to have the Rule 37-1 conference on August 19, 2013.
8 Thereafter, the conference was rescheduled to August 27, 2013. Late in the afternoon of
9 August 23, 2013, counsel for Defendants sent Plaintiff a 26 page letter concerning
10 Plaintiff's discovery responses. On August 27, 2013, Plaintiff emailed a letter to counsel
11 for Defendants and explained that she would not be prepared to discuss the extensive
12 discovery issues indicated in the August 23, 2013 correspondence.

13 Thereafter, counsel for Defendants telephoned Plaintiff and requested that the Rule
14 37-1 conference again be rescheduled so that the discovery issues of all parties could be
15 addressed in one conference. Plaintiff agreed and the conference was rescheduled to
16 September 5, 2013.

17 On September 5, 2013, Plaintiff and counsel for Defendants met to discuss the
18 outstanding discovery issues. It is Plaintiff's position that counsel for Defendants was not
19 adequately prepared, failed to engage in a frank exchange and most certainly did not
20 address the substantive issues regarding Plaintiff's discovery responses. Neither did she
21 provide legal authority to support her position that Plaintiff's responses were inadequate.
22 In other words, there was no substantive effort on the part of defense counsel to informally
23 resolve the issues.

24 Concerning Defendants Demand for Production of Documents, Set One, Plaintiff
25 informed counsel for Defendants during the Rule 37-1 conference that she stood by all of
26 the objections presented in her response. Plaintiff further explained that the document
27 production demand contains requests that are overly broad and non-specific as to the
28 particular constitutional violations and the applicable time periods. Plaintiff indicated that

1 Defendants position that discovery concerning matters in 2010 and 2013 are irrelevant or
2 barred by the statute of limitations would necessarily indicate that Defendants are not
3 desirous of discovery for those periods of time and any discovery requests should reflect
4 the same to avoid unnecessary speculation. Counsel for Defendants had no response to the
5 foregoing.

6 It is Plaintiff's position that much of the discovery propounded by Defendants is
7 poorly drafted and Defendants made no effort to clarify the ambiguities. In that vein,
8 Plaintiff has provided the best possible response and Defendants are doing nothing more
9 than unnecessarily exhausting this Court's time and resources.

10 Concerning Plaintiff's Rule 26 mandatory disclosure obligations, Plaintiff explained
11 that the majority, if not all, of the documents concerning her claims against Defendants are
12 in the possession, custody or control of Defendants with the exception of Plaintiff's
13 medical records from St. Francis Medical Center and Cedars Sinai Medical Center.
14 Counsel for Defendants asked whether this was Plaintiff's position concerning Plaintiff's
15 claims that were presented to the County of Los Angeles for her 2010 to 2013
16 incarcerations. Plaintiff indicated that she should not have to produce documents that are
17 part and parcel of the business records of Defendants and are therefore in their possession,
18 custody or control. In fact, on September 6, 2013, Defendants produced a Privilege Log
19 indicating that documents pertaining to those claims are presently in the possession of
20 counsel for Defendants thereby confirming that Defendants are in possession of documents
21 pertaining to Plaintiff's claims.

22 III.

23 DISPUTED DISCOVERY

24 A. DEFENDANT SHERIFF BACA'S REQUEST FOR PRODUCTION OF 25 DOCUMENTS TO PLAINTIFF SHORTER:

26 REQUEST NO. 2: Any and all DOCUMENTS which support YOUR contention that
27 SHERIFF BACA deprived YOU of YOUR rights guaranteed by the United States
28 Constitution.

1 RESPONSE: Objection. This request is overly broad because it fails to specify a particular
2 time, circumstances of right to which it refers. The responding party further objections on
3 the grounds that the identifies of documents that support Plaintiff's contentions that
4 Defendant Baca deprived Plaintiff of her established rights guaranteed by the United States
5 Constitution are within the possession, custody or control of Defendant Los Angeles
6 County. Therefore, the documents are known or reasonably available to Defendant Baca.

7 DEFICIENCY: Plaintiff objects to the request without providing any response. F.R.C.P.
8 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
9 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
10 party a request within the scope of Rule 26(b). The request is seeking documents that
11 support Plaintiff's claim that Sheriff Baca violated her constitutional rights as alleged in
12 the Complaint. This is a simple request for information that is highly relevant to plaintiff's
13 claim.

14 REQUEST NO. 3: Any and all DOCUMENTS which support YOUR contention that
15 SHERIFF BACA caused YOU to suffer the injuries and damages identified in YOUR
16 FAC.

17 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
18 of the discovery process and discovery has not yet been completed. The responding party
19 is therefore unable to provide a complete answer to this interrogatory at this time. Many of
20 the documents responsive to this request are in the possession, custody or control of
21 Defendant Baca and/or Los Angeles County and are therefore reasonably available to
22 Defendant Baca. Without waiving said objection, the responding party states that the
23 following documents support her contention that Sheriff Baca caused her to suffer the
24 injuries and damages identified in her First Amended Complaint: Any and all records
25 regarding Plaintiff from her incarcerations at Century Regional Detention Facility;
26 Plaintiff's medical records from St. Francis Medical Center, L.A.-U.S.C. County Medical
27 Center, Centinela Hospital, Cedars Sinai Medical Center; records and video recordings
28 regarding Plaintiff in the possession of Los Angeles County Sheriff's Department; Los

1 Angeles County Sheriff's investigative report regarding the use of excessive force by Los
2 Angeles County Sheriff Deputy Ian Beckford; Executive Summary of the Commission on
3 Jail Violence; and, photographs of Plaintiff's injuries cause by Los Angeles County
4 Sheriff Deputy Shane Parks. Plaintiff does not presently have possession of her medical
5 records or any of the documents identified with the exception of photographs of Plaintiff's
6 injuries caused by Los Angeles County Sheriff Deputy Shane Parks. Plaintiff's medical
7 records are in the possession, custody and control of those health care providers that have
8 been identified in this response.

9 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
10 any documents or provide that she has no documents in possession, custody, or control
11 responsive to the request as required by F.R.C.P. rule 34(a)(1).

12 REQUEST NO. 4: Any and all DOCUMENTS from any HEALTH CARE FACILITIES
13 including hospitals, clinics, emergency rooms, and infirmaries where YOU received
14 examination, consultation, treatment, hospitalization, physical therapy, surgery, or any
15 other medical service from which YOU received medial care for injuries which YOU
16 contend were caused by SHERIFF BACA.

17 RESPONSE: Documents responsive to this request include Plaintiff's medical records
18 from Century Regional Detention Facility, L.A.-U.S.C. County Medical Center, Cedars
19 Sinai Medical Center, St. Francis Medical Center and Centinela Hospital. Plaintiff does
20 not presently have possession of her medical records. Plaintiff's medical records are in the
21 possession, custody and control of those health care providers that have been identified in
22 this response.

23 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
24 any documents in her possession custody or control, or provide that she has no documents
25 in her possession, custody, or control responsive to the request as required by F.R.C.P.
26 Rule 34(a)(1).

27 REQUEST NO. 5: Any and all DOCUMENTS showing economic damages YOU are
28 claiming in the action.

1 RESPONSE: Objection. This request is vague and ambiguous concerning its reference to
2 the term “economic damages” therefore Plaintiff is unable to provide a response to this
3 request without speculating as to the meaning of that term.

4 DEFICIENCY: Plaintiff objects to the request without providing any response. F.R.C.P.
5 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
6 the party’s claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
7 party a request within the scope of Rule 26(b). The request is seeking any documents that
8 support Plaintiff suffered economic damages. Plaintiff objection that the term “economic”
9 is ambiguous is without merit.

10 REQUEST NO. 6: Any and all DOCUMENTS which support YOUR contention that
11 SHERIFF BACA knew of the danger or risk to YOUR health and safety.

12 RESPONSE: Objection. This request is vague and ambiguous. Further objection is made
13 on the grounds that the request is overly broad because it fails to specify a particular time,
14 circumstance or right to which it refers.

15 DEFICIENCY: Plaintiff objects to the request without providing any response. F.R.C.P.
16 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
17 the party’s claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
18 party a request within the scope of Rule 26(b). The request is seeking documents that
19 support Plaintiff’s claim that Sheriff Baca violated her constitutional rights as alleged in
20 the Complaint. This is a simple request for information that is highly relevant to plaintiff’s
21 own claim.

22 REQUEST NO. 7: Any and all DOCUMENTS which support YOUR contention that YOU
23 faced a serious medical need while incarcerated in the Los Angeles County Jail in 2010.

24 RESPONSE: Documents responsive to this request include Plaintiff’s medical records
25 from Century Regional Detention Facility, L.A.-U.S.C. County Medical Center, and St.
26 Francis Medical Center. Plaintiff does not presently have possession of her medical
27 records. Plaintiff’s medical records are in the possession, custody and control of those
28 health care providers that have been identified in this response.

1 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
2 any documents in her possession, custody or control or provide that she has no documents
3 in her possession, custody, or control responsive to the request as required by F.R.C.P.
4 Rule 34(a)(1).

5 REQUEST NO. 8: Any and all DOCUMENTS which support YOUR contention that YOU
6 faced a serious medical need while incarcerated in the Los Angeles County Jail in 2011.

7 RESPONSE: Documents responsive to this request include Plaintiff's medical records
8 from Century Regional Detention Facility and Cedars Sinai Medical Center. Plaintiff does
9 not presently have possession of her medical records. Plaintiff's medical records are in the
10 possession, custody and control of those health care providers that have been identified in
11 this response.

12 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
13 any documents in her possession custody or control or provide that she has no documents
14 in her possession, custody, or control responsive to the request as required by F.R.C.P.
15 Rule 34(a)(1).

16 REQUEST NO. 9: Any and all DOCUMENTS which support the contention that YOU
17 faced a substantial risk of serious harm while incarcerated in the Los Angeles County Jail
18 in 2010.

19 RESPONSE: Objection. This request is premature because we are in the beginning of the
20 discovery process and discovery has not yet been completed. The responding party is
21 therefore unable to provide a complete answer to this interrogatory at this time. Without
22 waiving said objection, many of the documents responsive to this request are in the
23 possession, custody or control of Defendant Baca and/or Los Angeles County and are
24 therefore reasonably available to Defendant Baca. Plaintiff is informed that the following
25 documents are responsive to this request: records regarding Plaintiff from her incarceration
26 at Century Regional Detention Facility; Plaintiff's medical records from St. Francis
27 Medical Center, L.A.-U.S.C. County Medical Center; records and video recordings
28 regarding Plaintiff in the possession of Los Angeles County Sheriff's Department; and, the

1 Executive Summary of the Commission on Jail Violence. Plaintiff does not presently have
2 possession of any of those documents herein. The Executive Summary of the Commission
3 on Jail Violence is a public record and is therefore equally available to Defendant Baca.

4 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
5 any documents in her possession custody or control or provide that she has no documents
6 in her possession, custody, or control responsive to the request as required by F.R.C.P.
7 Rule 34(a)(1).

8 REQUEST NO. 10: Any and all DOCUMENTS which support the contention that YOU
9 faced a substantial risk of serious harm while incarcerated in the Los Angeles County Jail
10 in 2011.

11 RESPONSE: Objection. This request is premature because we are in the beginning of the
12 discovery process and discovery has not yet been completed. The responding party is
13 therefore unable to provide a complete answer to this interrogatory at this time. Without
14 waiving said objection, many of the documents responsive to this request are in the
15 possession, custody or control of Defendant Baca and/or Los Angeles County and are
16 therefore reasonably available to Defendant Baca. Plaintiff is informed that the following
17 documents are responsive to this request: records regarding Plaintiff from her incarceration
18 at Century Regional Detention Facility; Plaintiff's medical records from St. Francis
19 Medical Center, L.A.-U.S.C. County Medical Center; records and video recordings
20 regarding Plaintiff in the possession of Los Angeles County Sheriff's Department; Los
21 Angeles County Sheriff's investigative report regarding the use of excessive force by Los
22 Angeles County Sheriff's Deputy Ian Beckford; and, the Executive Summary of the
23 Commission on Jail Violence. Plaintiff does not presently have possession of any of those
24 documents herein. The Executive Summary of the Commission on Jail Violence is a
25 public record and is therefore equally available to Defendant Baca.

26 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
27 any documents in her possession custody or control or provide that she has no documents
28

1 in her possession, custody, or control responsive to the request as required by F.R.C.P.
2 Rule 34(a)(1).

3 REQUEST NO. 11: Any and all DOCUMENTS which support the contention that
4 SHERIFF BACA'S subordinates deprived YOU of YOUR rights under the Constitution.

5 RESPONSE: Objection. This request is vague and ambiguous. Further objection is made
6 on the grounds that the request is overly broad because it fails to specify a particular time,
7 circumstance or right to which it refers.

8 DEFICIENCY: Plaintiff objects to the request without providing any response. F.R.C.P.
9 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
10 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
11 party a request within the scope of Rule 26(b). The request is seeking documents that
12 support Plaintiff's claim that Sheriff Baca violated her constitutional rights as alleged in
13 the Complaint. This is a simple request for information that directly supports plaintiff's
14 own claim.

15 REQUEST NO. 12: Any and all DOCUMENTS which support the contention that
16 SHERIFF BACA directed his subordinates in the acts that deprived YOU of YOUR rights.

17 RESPONSE: Objection. This request is vague and ambiguous. Further objection is made
18 on the grounds that the request is overly broad because it fails to specify a particular time,
19 circumstance or right to which it refers.

20 DEFICIENCY: Plaintiff objects to the request without providing any response. F.R.C.P.
21 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
22 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
23 party a request within the scope of Rule 26(b). The request is seeking documents that
24 support Plaintiff's claim that Sheriff Baca violated her constitutional rights as alleged in
25 the Complaint. This is a simple request for information that directly supports plaintiff's
26 own claim.

27 REQUEST NO. 13: Any and all DOCUMENTS which support the contention that
28 SHERIFF BACA set in motion a series of acts by his subordinates that he knew or

1 reasonably should have known would cause the subordinates to deprive YOU of YOUR
2 rights.

3 RESPONSE: Objection. This request is vague and ambiguous. Further objection is made
4 on the grounds that the request is overly broad because it fails to specify a particular time,
5 circumstance or right to which it refers. Without waiving objections, the Executive
6 Summary of the Commission on Jail Violence. This document is a public record and is
7 therefore equally available to Defendant Baca.

8 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
9 any documents in her possession custody or control or provide that she has no documents
10 in her possession, custody, or control responsive to the request as required by F.R.C.P.
11 Rule 34(a)(1).

12 REQUEST NO. 14: Any and all DOCUMENTS which support the contention that
13 SHERIFF BACA knew, or reasonably should have known, that his subordinates were
14 engaging in acts that violated YOUR rights.

15 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
16 of the discovery process and discovery has not yet been completed. The responding party
17 is therefore unable to provide a complete answer to this interrogatory at this time. Further
18 objection is made on the grounds that the request is overly broad because it fails to specify
19 a particular time, circumstance or right to which it refers. Without waiving objections, the
20 Executive Summary of the Commission on Jail Violence. This document is a public record
21 and is therefore equally available to Defendant Baca.

22 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
23 any documents in her possession custody or control or provide that she has no documents
24 in her possession, custody, or control responsive to the request as required by F.R.C.P.
25 Rule 34(a)(1).

26 REQUEST NO. 15: Any and all DOCUMENTS which support the contention that
27 SHERIFF BACA failed to act to prevent his subordinates from engaging in acts that
28 violated YOUR rights.

1 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
2 of the discovery process and discovery has not yet been completed. The responding party
3 is therefore unable to provide a complete answer to this interrogatory at this time. Further
4 objection is made on the grounds that the request is overly broad because it fails to specify
5 a particular time, circumstance or right to which it refers. Without waiving objections, the
6 Executive Summary of the Commission on Jail Violence. This document is a public record
7 and is therefore equally available to Defendant Baca.

8 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
9 any documents in her possession custody or control or provide that she has no documents
10 in her possession, custody, or control responsive to the request as required by F.R.C.P.
11 Rule 34(a)(1).

12 REQUEST NO. 16: Any and all DOCUMENTS which support the contention that
13 SHERIFF BACA ratified his employees acts that caused a violation of YOUR rights.

14 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
15 of the discovery process and discovery has not yet been completed. The responding party
16 is therefore unable to provide a complete answer to this interrogatory at this time. Further
17 objection is made on the grounds that the request is overly broad because it fails to specify
18 a particular time, circumstance or right to which it refers. Without waiving objections, the
19 Executive Summary of the Commission on Jail Violence. This document is a public record
20 and is therefore equally available to Defendant Baca.

21 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
22 any documents in her possession custody or control or provide that she has no documents
23 in her possession, custody, or control responsive to the request as required by F.R.C.P.
24 Rule 34(a)(1).

25 REQUEST NO. 17: Any and all DOCUMENTS which support the contention that
26 SHERIFF BACA knew of his employees acts that caused a violation of YOUR rights.

27 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
28 of the discovery process and discovery has not yet been completed. The responding party

1 is therefore unable to provide a complete answer to this interrogatory at this time. Further
2 objection is made on the grounds that the request is overly broad because it fails to specify
3 a particular time, circumstance or right to which it refers. Without waiving objections, the
4 Executive Summary of the Commission on Jail Violence. This document is a public record
5 and is therefore equally available to Defendant Baca.

6 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
7 any documents in her possession custody or control or provide that she has no documents
8 in her possession, custody, or control responsive to the request as required by F.R.C.P.
9 Rule 34(a)(1).

10 REQUEST NO. 18: Any and all DOCUMENTS which support the contention that
11 SHERIFF BACA specifically approved his employees acts that caused a violation of
12 YOUR rights.

13 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
14 of the discovery process and discovery has not yet been completed. The responding party
15 is therefore unable to provide a complete answer to this interrogatory at this time. Further
16 objection is made on the grounds that the request is overly broad because it fails to specify
17 a particular time, circumstance or right to which it refers. Without waiving objections, the
18 Executive Summary of the Commission on Jail Violence. This document is a public record
19 and is therefore equally available to Defendant Baca.

20 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
21 any documents in her possession custody or control or provide that she has no documents
22 in her possession, custody, or control responsive to the request as required by F.R.C.P.
23 Rule 34(a)(1).

24 REQUEST NO. 19: Any and all DOCUMENTS which support YOUR contention that
25 SHERIFF BACA is liable to YOU for not personally investigating a April 9, 2010 incident.

26 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
27 of the discovery process and discovery has not yet been completed. The responding party
28 is therefore unable to provide a complete answer to this interrogatory at this time. Further

1 objection is made on the grounds that the request is overly broad because it fails to specify
2 a particular time, circumstance or right to which it refers. Without waiving objections, the
3 Executive Summary of the Commission on Jail Violence and all the documents that
4 reference Defendant Baca's obligations as Chief Executive Officer of the Los Angeles
5 Sheriff's Department . These documents are within the possession, custody and control of
6 Defendant Baca and/or Defendant Los Angeles County.

7 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
8 any documents in her possession custody or control or provide that she has no documents
9 in her possession, custody, or control responsive to the request as required by F.R.C.P.
10 Rule 34(a)(1).

11 REQUEST NO. 20: Any and all DOCUMENTS which support YOUR contention that
12 SHERIFF BACA is liable to YOU for a denial of medical care as alleged in ¶25 of YOUR
13 FAC.

14 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
15 of the discovery process and discovery has not yet been completed. The responding party
16 is therefore unable to provide a complete answer to this interrogatory at this time. Further
17 objection is made on the grounds that the request is overly broad because it fails to specify
18 a particular time, circumstance or right to which it refers. Without waiving objections, the
19 Executive Summary of the Commission on Jail Violence and all the documents that
20 reference Defendant Baca's obligations as Chief Executive Officer of the Los Angeles
21 Sheriff's Department . These documents are within the possession, custody and control of
22 Defendant Baca and/or Defendant Los Angeles County.

23 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
24 any documents in her possession custody or control or provide that she has no documents
25 in her possession, custody, or control responsive to the request as required by F.R.C.P.
26 Rule 34(a)(1).

1 REQUEST NO. 21: Any and all DOCUMENTS which support YOUR contention that
2 SHERIFF BACA is liable to YOU for a denial of medical care as alleged in ¶25 of YOUR
3 FAC.

4 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
5 of the discovery process and discovery has not yet been completed. The responding party
6 is therefore unable to provide a complete answer to this interrogatory at this time. Further
7 objection is made on the grounds that the request is overly broad because it fails to specify
8 a particular time, circumstance or right to which it refers. Without waiving objections, the
9 Executive Summary of the Commission on Jail Violence and all the documents that
10 reference Defendant Baca's obligations as Chief Executive Officer of the Los Angeles
11 Sheriff's Department . These documents are within the possession, custody and control of
12 Defendant Baca and/or Defendant Los Angeles County.

13 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
14 any documents in her possession custody or control or provide that she has no documents
15 in her possession, custody, or control responsive to the request as required by F.R.C.P.
16 Rule 34(a)(1).

17 REQUEST NO. 22: Any and all DOCUMENTS which support YOUR contention that
18 SHERIFF BACA is liable to YOU for a denial of shower privileges as alleged in ¶25 of
19 YOUR FAC.

20 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
21 of the discovery process and discovery has not yet been completed. The responding party
22 is therefore unable to provide a complete answer to this interrogatory at this time. Further
23 objection is made on the grounds that the request is overly broad because it fails to specify
24 a particular time, circumstance or right to which it refers. Without waiving objections, the
25 Executive Summary of the Commission on Jail Violence and all the documents that
26 reference Defendant Baca's obligations as Chief Executive Officer of the Los Angeles
27 Sheriff's Department . These documents are within the possession, custody and control of
28 Defendant Baca and/or Defendant Los Angeles County.

1 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
2 any documents in her possession custody or control or provide that she has no documents
3 in her possession, custody, or control responsive to the request as required by F.R.C.P.
4 Rule 34(a)(1).

5 REQUEST NO. 23: Any and all DOCUMENTS which support YOUR contention that
6 SHERIFF BACA is liable to YOU for a deprivation of clean clothes and toiletries as
7 alleged in ¶25 of YOUR FAC.

8 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
9 of the discovery process and discovery has not yet been completed. The responding party
10 is therefore unable to provide a complete answer to this interrogatory at this time. Further
11 objection is made on the grounds that the request is overly broad because it fails to specify
12 a particular time, circumstance or right to which it refers. Without waiving objections, the
13 Executive Summary of the Commission on Jail Violence and all the documents that
14 reference Defendant Baca's obligations as Chief Executive Officer of the Los Angeles
15 Sheriff's Department . These documents are within the possession, custody and control of
16 Defendant Baca and/or Defendant Los Angeles County.

17 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
18 any documents in her possession custody or control or provide that she has no documents
19 in her possession, custody, or control responsive to the request as required by F.R.C.P.
20 Rule 34(a)(1).

21 REQUEST NO. 24: Any and all DOCUMENTS which support YOUR contention that
22 SHERIFF BACA is liable to YOU for a refusal of attorney communications as alleged in
23 ¶25 of YOUR FAC.

24 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
25 of the discovery process and discovery has not yet been completed. The responding party
26 is therefore unable to provide a complete answer to this interrogatory at this time. Further
27 objection is made on the grounds that the request is overly broad because it fails to specify
28 a particular time, circumstance or right to which it refers. Without waiving objections, the

1 Executive Summary of the Commission on Jail Violence and all the documents that
2 reference Defendant Baca's obligations as Chief Executive Officer of the Los Angeles
3 Sheriff's Department . These documents are within the possession, custody and control of
4 Defendant Baca and/or Defendant Los Angeles County.

5 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
6 any documents in her possession custody or control or provide that she has no documents
7 in her possession, custody, or control responsive to the request as required by F.R.C.P.
8 Rule 34(a)(1).

9 REQUEST NO. 25: Any and all DOCUMENTS which support YOUR contention that
10 SHERIFF BACA is liable to YOU for sexual harassment as alleged in ¶25 of YOUR FAC.

11 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
12 of the discovery process and discovery has not yet been completed. The responding party
13 is therefore unable to provide a complete answer to this interrogatory at this time. Further
14 objection is made on the grounds that the request is overly broad because it fails to specify
15 a particular time, circumstance or right to which it refers. Without waiving objections, the
16 Executive Summary of the Commission on Jail Violence and all the documents that
17 reference Defendant Baca's obligations as Chief Executive Officer of the Los Angeles
18 Sheriff's Department . These documents are within the possession, custody and control of
19 Defendant Baca and/or Defendant Los Angeles County.

20 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
21 any documents in her possession custody or control or provide that she has no documents
22 in her possession, custody, or control responsive to the request as required by F.R.C.P.
23 Rule 34(a)(1).

24 REQUEST NO. 26: Any and all DOCUMENTS which support YOUR contention that
25 SHERIFF BACA is liable to YOU for food and medicine deprivation as alleged in ¶25 of
26 YOUR FAC.

27 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
28 of the discovery process and discovery has not yet been completed. The responding party

1 is therefore unable to provide a complete answer to this interrogatory at this time. Further
2 objection is made on the grounds that the request is overly broad because it fails to specify
3 a particular time, circumstance or right to which it refers. Without waiving objections, the
4 Executive Summary of the Commission on Jail Violence and all the documents that
5 reference Defendant Baca's obligations as Chief Executive Officer of the Los Angeles
6 Sheriff's Department . These documents are within the possession, custody and control of
7 Defendant Baca and/or Defendant Los Angeles County.

8 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
9 any documents in her possession custody or control or provide that she has no documents
10 in her possession, custody, or control responsive to the request as required by F.R.C.P.
11 Rule 34(a)(1).

12 REQUEST NO. 27: Any and all DOCUMENTS which support YOUR contention that
13 SHERIFF BACA is liable to YOU for food and medicine deprivation as alleged in ¶25 of
14 YOUR FAC.

15 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
16 of the discovery process and discovery has not yet been completed. The responding party
17 is therefore unable to provide a complete answer to this interrogatory at this time. Further
18 objection is made on the grounds that the request is overly broad because it fails to specify
19 a particular time, circumstance or right to which it refers. Without waiving objections, the
20 Executive Summary of the Commission on Jail Violence and all the documents that
21 reference Defendant Baca's obligations as Chief Executive Officer of the Los Angeles
22 Sheriff's Department . These documents are within the possession, custody and control of
23 Defendant Baca and/or Defendant Los Angeles County.

24 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
25 any documents in her possession custody or control or provide that she has no documents
26 in her possession, custody, or control responsive to the request as required by F.R.C.P.
27 Rule 34(a)(1).

1 REQUEST NO. 28: Any and all DOCUMENTS which support the contention that a
2 COUNTY OF LOS ANGELES policy caused a deprivation of YOUR rights.

3 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
4 of the discovery process and discovery has not yet been completed. The responding party
5 is therefore unable to provide a complete answer to this interrogatory at this time. Further
6 objection is made on the grounds that the request is overly broad because it fails to specify
7 a particular time, circumstance or right to which it refers. Without waiving objections, the
8 Executive Summary of the Commission on Jail Violence and all the documents that
9 reference Defendant Baca's obligations as Chief Executive Officer of the Los Angeles
10 Sheriff's Department . These documents are within the possession, custody and control of
11 Defendant Baca and/or Defendant Los Angeles County.

12 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
13 any documents in her possession custody or control or provide that she has no documents
14 in her possession, custody, or control responsive to the request as required by F.R.C.P.
15 Rule 34(a)(1).

16 REQUEST NO. 29: Any and all DOCUMENTS which support the contention that a Los
17 Angeles County Sheriff's Department policy caused a deprivation of YOUR rights.

18 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
19 of the discovery process and discovery has not yet been completed. The responding party
20 is therefore unable to provide a complete answer to this interrogatory at this time. Further
21 objection is made on the grounds that the request is overly broad because it fails to specify
22 a particular time, circumstance or right to which it refers. Without waiving objections, the
23 Executive Summary of the Commission on Jail Violence. This document is public record
24 and is therefore equally available to Defendant Baca.

25 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
26 any documents in her possession custody or control or provide that she has no documents
27 in her possession, custody, or control responsive to the request as required by F.R.C.P.
28 Rule 34(a)(1).

1 REQUEST NO. 30: Any and all DOCUMENTS which support the contention that a
2 COUNTY OF LOS ANGELES practice caused a deprivation of YOUR rights.

3 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
4 of the discovery process and discovery has not yet been completed. The responding party
5 is therefore unable to provide a complete answer to this interrogatory at this time. Further
6 objection is made on the grounds that the request is overly broad because it fails to specify
7 a particular time, circumstance or right to which it refers. Without waiving objections, the
8 Executive Summary of the Commission on Jail Violence. This document is public record
9 and is therefore equally available to Defendant Baca.

10 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
11 any documents in her possession custody or control or provide that she has no documents
12 in her possession, custody, or control responsive to the request as required by F.R.C.P.
13 Rule 34(a)(1).

14 REQUEST NO. 31: Any and all DOCUMENTS which support the contention that a Los
15 Angeles County Sheriff's Department practice caused a deprivation of YOUR rights.

16 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
17 of the discovery process and discovery has not yet been completed. The responding party
18 is therefore unable to provide a complete answer to this interrogatory at this time. Further
19 objection is made on the grounds that the request is overly broad because it fails to specify
20 a particular time, circumstance or right to which it refers. Without waiving objections, the
21 Executive Summary of the Commission on Jail Violence. This document is public record
22 and is therefore equally available to Defendant Baca.

23 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
24 any documents in her possession custody or control or provide that she has no documents
25 in her possession, custody, or control responsive to the request as required by F.R.C.P.
26 Rule 34(a)(1).

27 REQUEST NO. 32: Any and all DOCUMENTS which support the contention that a
28 COUNTY OF LOS ANGELES custom caused a deprivation of YOUR rights.

1 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
2 of the discovery process and discovery has not yet been completed. The responding party
3 is therefore unable to provide a complete answer to this interrogatory at this time. Further
4 objection is made on the grounds that the request is overly broad because it fails to specify
5 a particular time, circumstance or right to which it refers. Without waiving objections, the
6 Executive Summary of the Commission on Jail Violence. This document is public record
7 and is therefore equally available to Defendant Baca.

8 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
9 any documents in her possession custody or control or provide that she has no documents
10 in her possession, custody, or control responsive to the request as required by F.R.C.P.
11 Rule 34(a)(1).

12 REQUEST NO. 33: Any and all DOCUMENTS which support the contention that a Los
13 Angeles County Sheriff's Department custom caused a deprivation of YOUR rights.

14 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
15 of the discovery process and discovery has not yet been completed. The responding party
16 is therefore unable to provide a complete answer to this interrogatory at this time. Further
17 objection is made on the grounds that the request is overly broad because it fails to specify
18 a particular time, circumstance or right to which it refers. Without waiving objections, the
19 Executive Summary of the Commission on Jail Violence. This document is public record
20 and is therefore equally available to Defendant Baca.

21 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
22 any documents in her possession custody or control or provide that she has no documents
23 in her possession, custody, or control responsive to the request as required by F.R.C.P.
24 Rule 34(a)(1).

25 REQUEST NO. 34: Any and all DOCUMENTS which support the contention that
26 SHERIFF BACA set in motion a series of acts by his subordinates that he knew or
27 reasonably should have known would cause a deprivation of YOUR rights.
28

1 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
2 of the discovery process and discovery has not yet been completed. The responding party
3 is therefore unable to provide a complete answer to this interrogatory at this time. Further
4 objection is made on the grounds that the request is overly broad because it fails to specify
5 a particular time, circumstance or right to which it refers. Without waiving objections, the
6 Executive Summary of the Commission on Jail Violence. This document is public record
7 and is therefore equally available to Defendant Baca.

8 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
9 any documents in her possession custody or control or provide that she has no documents
10 in her possession, custody, or control responsive to the request as required by F.R.C.P.
11 Rule 34(a)(1).

12 REQUEST NO. 35: Any and all DOCUMENTS which support the contention that
13 SHERIFF BACA directed his subordinates in the acts that caused a deprivation of YOUR
14 rights.

15 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
16 of the discovery process and discovery has not yet been completed. The responding party
17 is therefore unable to provide a complete answer to this interrogatory at this time. Further
18 objection is made on the grounds that the request is overly broad because it fails to specify
19 a particular time, circumstance or right to which it refers. Without waiving objections, the
20 Executive Summary of the Commission on Jail Violence. This document is public record
21 and is therefore equally available to Defendant Baca.

22 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
23 any documents in her possession custody or control or provide that she has no documents
24 in her possession, custody, or control responsive to the request as required by F.R.C.P.
25 Rule 34(a)(1).

26 REQUEST NO. 36: Any and all DOCUMENTS which support the contention that
27 SHERIFF BACA knew or reasonably should have known his subordinates were engaging
28 in acts that would cause a deprivation of YOUR rights.

1 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
2 of the discovery process and discovery has not yet been completed. The responding party
3 is therefore unable to provide a complete answer to this interrogatory at this time. Further
4 objection is made on the grounds that the request is overly broad because it fails to specify
5 a particular time, circumstance or right to which it refers. Without waiving objections, the
6 Executive Summary of the Commission on Jail Violence. This document is public record
7 and is therefore equally available to Defendant Baca.

8 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
9 any documents in her possession custody or control or provide that she has no documents
10 in her possession, custody, or control responsive to the request as required by F.R.C.P.
11 Rule 34(a)(1).

12 REQUEST NO. 37: Any and all DOCUMENTS which support the contention that any
13 failure to train caused a deprivation of YOUR rights.

14 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
15 of the discovery process and discovery has not yet been completed. The responding party
16 is therefore unable to provide a complete answer to this interrogatory at this time. Further
17 objection is made on the grounds that the request is overly broad because it fails to specify
18 a particular time, circumstance or right to which it refers. Without waiving objections, the
19 Executive Summary of the Commission on Jail Violence. This document is public record
20 and is therefore equally available to Defendant Baca.

21 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
22 any documents in her possession custody or control or provide that she has no documents
23 in her possession, custody, or control responsive to the request as required by F.R.C.P.
24 Rule 34(a)(1).

25 REQUEST NO. 38: Any and all DOCUMENTS which support the contention that
26 SHERIFF BACA failed to train his subordinates.

27 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
28 of the discovery process and discovery has not yet been completed. The responding party

1 is therefore unable to provide a complete answer to this interrogatory at this time. Further
 2 objection is made on the grounds that the request is overly broad because it fails to specify
 3 a particular time, circumstance or right to which it refers. Without waiving objections, the
 4 Executive Summary of the Commission on Jail Violence. This document is public record
 5 and is therefore equally available to Defendant Baca.

6 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
 7 any documents in her possession custody or control or provide that she has no documents
 8 in her possession, custody, or control responsive to the request as required by F.R.C.P.
 9 Rule 34(a)(1).

10 REQUEST NO. 39: Any and all DOCUMENTS which support the contention that the
 11 training policies of SHERIFF BACA were not adequate to train his employees from
 12 handling the usual and recurring situation with which they must deal.

13 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
 14 of the discovery process and discovery has not yet been completed. The responding party
 15 is therefore unable to provide a complete answer to this interrogatory at this time. Further
 16 objection is made on the grounds that the request is overly broad because it fails to specify
 17 a particular time, circumstance or right to which it refers. Without waiving objections, the
 18 Executive Summary of the Commission on Jail Violence. This document is public record
 19 and is therefore equally available to Defendant Baca.

20 DEFICIENCY: Plaintiff fails to properly respond to the request. Plaintiff fails to identify
 21 any documents in her possession custody or control or provide that she has no documents
 22 in her possession, custody, or control responsive to the request as required by F.R.C.P.
 23 Rule 34(a)(1).

24 **DEFENSE'S CONTENTIONS:**

25 *Federal Rules of Civil Procedure 37(a)(3)(B)(iv)* provides, "A party seeking
 26 discovery may move for an order compelling an answer, designation, production or
 27 inspection. This motion may be made if...a party fails to respond that inspection will be
 28 permitted-or fails to permit inspection-as requested under Rule 34." An evasive or

incomplete disclosure, answer, or response must be treated as a failure to disclose, answer, or respond. *Fed.Rules.Civ.Proc.* Rule 37(a)(4).

PLAINTIFF'S CONTENTIONS:

Federal discovery law requires that, prior to the initiation of a motion to compel, the parties informally attempt to resolve discovery matters. (*Nevada Power Co. v. Monsanto Co.* (D.Nev. 1993) 151 F.R.D. 118, 120; *Tarkett, Inc. v. Congoleum Corp.* (E.D. Pa. 1992) 144 F.R.D. 282, 285-286; *Dondi Properties Corp. v. Commerce Sav. And Loan Ass'n* (N.D. Tex. 1988) 121 F.R.D. 284, 289 ["[t]he purpose of the conference requirement is to promote a frank exchange between counsel to resolve issues by agreement or at least narrow and focus the matters in controversy before judicial resolution is sought"]). Some federal courts have lamented that, "in many instances the [informal] conference requirements seems to have evolved into a pro forma matter." (*Dondi Properties Corp. v. Commerce Sav. And Loan Ass'n*, *supra* 121 F.R.D. at p. 289.)

In *Nevada Power Co. v. Monsanto Co.*, *supra*, 151 F.R.D. 118, 120, the court offered the following guidelines for the conduct of an informal negotiation conference: "[T]he parties must present to each other the merits of their respective positions with the same, candor, specificity, and support during informal negotiations as during the briefing of discovery motions. Only after all the cards have been laid on the table, and a party has meaningfully assessed the relative strengths and weaknesses of its position in light of all available information, can there be a 'sincere effort' to resolve the matter."

Concerning Defendants Demand for Production of Documents, Set One, Plaintiff informed counsel for Defendants during the Rule 37-1 conference that she stood by all of the objections presented in her response. Plaintiff further explained that the document production demand contains requests that are overly broad and non-specific as to the particular constitutional violations and the applicable time periods. Plaintiff indicated that Defendants refusal to produce discovery concerning matters in 2010 and 2013 on the grounds of relevancy would necessarily indicate that Defendants are not desirous of discovery for those periods of time and any discovery requests propounded by Defendants

1 should reflect the same to avoid unnecessary speculation. Counsel for Defendants had no
2 response to the foregoing and therefore evaded its Rule 37-1 obligations. Plaintiff has
3 provided the best possible response and Defendants are merely unnecessarily exhausting
4 this Court's time and resources.

5 **B. SHERIFF BACA'S REQUEST FOR ADMISSIONS TO PLAINTIFF**
6 **SHORTER [SET ONE]:**

7 REQUEST NO. 11: Admit that SHERIFF BACA did not direct his subordinates to use
8 force on YOU.

9 RESPONSE: The responding party does not have sufficient information at this time to
10 either admit or deny this request. However, the discovery process may produce evidence
11 concerning whether Sheriff Baca direct his subordinate to use force, Plaintiff therefore
12 reserves the right to supplement her response.

13 DEFICIENCY: Plaintiff fails to respond to the Request. Plaintiff fails to comply with
14 F.R.C.P. Rule 36. Plaintiff neither denies or admits the request. Moreover, the discovery
15 deadline has passed and Plaintiff's assertion that discovery process may produce evidence
16 is without merit.

17 REQUEST NO. 12: Admit that YOU have no evidence to prove that SHERIFF BACA
18 directed his subordinates to use force on YOU.

19 RESPONSE: Objection. This request is overly broad in that it fails to identify a particular
20 time period or circumstances. Further objection is made on the ground that the term
21 "prove" is vague and ambiguous such that the responding party is required to speculate as
22 to what is meant by the term in order to respond. The request is also premature at this
23 phase of discovery in that Plaintiff has just begun gather evidence to support the
24 prosecution of her claims. Furthermore, Plaintiff is informed and believes that the majority
25 of documents which prove that Sheriff Baca failed to train his personnel regarding the use
26 of reasonable force is within the possession, custody and control of Defendants Baca
27 and/or County of Los Angeles and will be produced via the discovery process.
28

1 DEFICIENCY: Plaintiff fails to respond to the Request. Plaintiff fails to comply with
2 F.R.C.P. Rule 36. Plaintiff neither denies or admits the request. Moreover, the discovery
3 deadline has passed and Plaintiff's assertion that discovery process may produce evidence
4 is without merit.

5 REQUEST NO. 13: Admit that YOU have no DOCUMENTS to prove that SHERIFF
6 BACA directed his subordinates to use force on YOU.

7 RESPONSE: Objection. This request is overly broad in that it fails to identify a particular
8 time period or circumstances. Further objection is made on the ground that the term
9 "prove" is vague and ambiguous such that the responding party is required to speculate as
10 to what is meant by the term in order to respond. The request is also premature at this
11 phase of discovery in that Plaintiff has just begun gather evidence to support the
12 prosecution of her claims. Furthermore, Plaintiff is informed and believes that the majority
13 of documents which may prove that Sheriff Baca directed his subordinates to use force on
14 Plaintiff is within the possession, custody and control of Defendants Baca and/or County of
15 Los Angeles and will be produced via the discovery process.

16 DEFICIENCY: Plaintiff fails to respond to the Request. Plaintiff fails to comply with
17 F.R.C.P. Rule 36. Plaintiff neither denies or admits the request. Moreover, the discovery
18 deadline has passed and Plaintiff's assertion that discovery process may produce evidence
19 is without merit.

20 REQUEST NO. 14: Admit that YOU have no evidence to prove that SHERIFF BACA
21 directed his subordinates to sexually assault YOU.

22 RESPONSE: Objection. This request is overly broad in that it fails to identify a particular
23 time period or circumstances. Further objection is made on the ground that the term
24 "prove" is vague and ambiguous such that the responding party is required to speculate as
25 to what is meant by the term in order to respond. The request is also premature at this
26 phase of discovery in that Plaintiff has just begun gather evidence to support the
27 prosecution of her claims. Furthermore, Plaintiff is informed and believes that the majority
28 of documents which may prove that Sheriff Baca directed his subordinates to sexually

1 assault Plaintiff is within the possession, custody and control of Defendants Baca and/or
2 County of Los Angeles and will be produced via the discovery process.

3 DEFICIENCY: Plaintiff fails to respond to the Request. Plaintiff fails to comply with
4 F.R.C.P. Rule 36. Plaintiff neither denies or admits the request. Moreover, the discovery
5 deadline has passed and Plaintiff's assertion that discovery process may produce evidence
6 is without merit.

7 REQUEST NO. 15: Admit that YOU have no DOCUMENTS to prove that SHERIFF
8 BACA directed his subordinates to sexually assault YOU.

9 RESPONSE: Objection. This request is overly broad in that it fails to identify a particular
10 time period or circumstances. Further objection is made on the ground that the term
11 "prove" is vague and ambiguous such that the responding party is required to speculate as
12 to what is meant by the term in order to respond. The request is also premature at this
13 phase of discovery in that Plaintiff has just begun gather evidence to support the
14 prosecution of her claims. Furthermore, Plaintiff is informed and believes that the majority
15 of documents which may prove that Sheriff Baca directed his subordinates to sexually
16 assault Plaintiff is within the possession, custody and control of Defendants Baca and/or
17 County of Los Angeles and will be produced via the discovery process.

18 DEFICIENCY: Plaintiff's objection is without merit. Plaintiff's own complaint sues
19 Sheriff Baca for a sexual assault. Plaintiff's claim that the request is overly broad is
20 without merit. Plaintiff fails to comply with F.R.C.P. Rule 36. Plaintiff neither denies or
21 admits the request. Moreover, the discovery deadline has passed and Plaintiff's assertion
22 that discovery process may produce evidence is without merit.

23 REQUEST NO. 16: Admit that YOU have no evidence to prove that SHERIFF BACA set
24 in motion a series of acts by his subordinates that he knew would cause the subordinates to
25 deprive YOU of YOUR rights.

26 RESPONSE: Objection. This request is overly broad in that it fails to identify a particular
27 time period or circumstances. Further objection is made on the ground that the term
28 "prove" is vague and ambiguous such that the responding party is required to speculate as

1 to what is meant by the term in order to respond. The request is also premature at this
2 phase of discovery in that Plaintiff has just begun gather evidence to support the
3 prosecution of her claims. Furthermore, Plaintiff is informed and believes that the majority
4 of evidence to prove that Sheriff Baca set in motion a series of acts by his subordinates that
5 he knew would the subordinates to deprive Plaintiff of her rights within the possession,
6 custody and control of Defendants Baca and/or County of Los Angeles and will be
7 produced via the discovery process.

8 DEFICIENCY: Plaintiff's objection is without merit. Plaintiff's own complaint sues
9 Sheriff Baca for a deprivation of her constitutional rights. Plaintiff's claim that the request
10 is overly broad is without merit. Plaintiff fails to comply with F.R.C.P. Rule 36. Plaintiff
11 neither denies or admits the request. Moreover, the discovery deadline has passed and
12 Plaintiff's assertion that discovery process may produce evidence is without merit.

13 REQUEST NO. 17: Admit that YOU have no DOCUMENTS to prove that SHERIFF
14 BACA set in motion a series of acts by his subordinates that he knew would cause the
15 subordinates to deprive YOU of YOUR rights.

16 RESPONSE: Objection. This request is overly broad in that it fails to identify a particular
17 time period or circumstances. Further objection is made on the ground that the term
18 "prove" is vague and ambiguous such that the responding party is required to speculate as
19 to what is meant by the term in order to respond. The request is also premature at this
20 phase of discovery in that Plaintiff has just begun gather evidence to support the
21 prosecution of her claims. Furthermore, Plaintiff is informed and believes that the majority
22 of the documents which prove that Sheriff Baca set in motion a series of acts by his
23 subordinates that he knew would the subordinates to deprive Plaintiff of her rights within
24 the possession, custody and control of Defendants Baca and/or County of Los Angeles and
25 will be produced via the discovery process.

26 DEFICIENCY: Plaintiff's objection is without merit. Plaintiff's own complaint sues
27 Sheriff Baca for a deprivation of her constitutional rights. Plaintiff's claim that the request
28 is overly broad is without merit. Plaintiff fails to comply with F.R.C.P. Rule 36. Plaintiff

1 neither denies or admits the request. Moreover, the discovery deadline has passed and
2 Plaintiff's assertion that discovery process may produce evidence is without merit.

3 REQUEST NO. 18: Admit that YOU have no evidence to prove that SHERIFF BACA set
4 in motion a series of acts by his subordinates that he knew would cause the subordinates to
5 sexually assault YOU.

6 RESPONSE: Objection. This request is overly broad in that it fails to identify a particular
7 time period or circumstances. Further objection is made on the ground that the term
8 "prove" is vague and ambiguous such that the responding party is required to speculate as
9 to what is meant by the term in order to respond. The request is also premature at this
10 phase of discovery in that Plaintiff has just begun gather evidence to support the
11 prosecution of her claims. Furthermore, Plaintiff is informed and believes that the majority
12 of evidence to prove that Sheriff Baca set in motion a series of acts by his subordinates that
13 he knew would the subordinates to deprive Plaintiff of her rights within the possession,
14 custody and control of Defendants Baca and/or County of Los Angeles and will be
15 produced via the discovery process.

16 DEFICIENCY: Plaintiff's objection is without merit. Plaintiff's own complaint sues
17 Sheriff Baca for a deprivation of her constitutional rights. Plaintiff's claim that the request
18 is overly broad is without merit. Plaintiff fails to comply with F.R.C.P. Rule 36. Plaintiff
19 neither denies or admits the request. Moreover, the discovery deadline has passed and
20 Plaintiff's assertion that discovery process may produce evidence is without merit.

21 REQUEST NO. 19: Admit that YOU have no DOCUMENTS to prove that SHERIFF
22 BACA set in motion a series of acts by his subordinates that he knew would cause the
23 subordinates to sexually assault YOU.

24 RESPONSE: Objection. This request is overly broad in that it fails to identify a particular
25 time period or circumstances. Further objection is made on the ground that the term
26 "prove" is vague and ambiguous such that the responding party is required to speculate as
27 to what is meant by the term in order to respond. The request is also premature at this
28 phase of discovery in that Plaintiff has just begun gather evidence to support the

prosecution of her claims. Furthermore, Plaintiff is informed and believes that the majority of the documents which prove that Sheriff Baca set in motion a series of acts by his subordinates that he knew would the subordinates to deprive Plaintiff of her rights within the possession, custody and control of Defendants Baca and/or County of Los Angeles and will be produced via the discovery process.

DEFICIENCY: Plaintiff's objection is without merit. Plaintiff's own complaint sues Sheriff Baca for a sexual assault. Plaintiff's claim that the request is overly broad is without merit. Plaintiff fails to comply with F.R.C.P. Rule 36. Plaintiff neither denies or admits the request. Moreover, the discovery deadline has passed and Plaintiff's assertion that discovery process may produce evidence is without merit.

DEFENSE'S CONTENTIONS:

Federal Rules of Civil Procedure 36(a)(6) provides, "[t]he requesting party may move to determine the sufficiency of an answer or objection. Unless the court finds an objection justified, it must order that an answer be served. On finding that an answer does not comply with this rule, the court may order either that the matter is admitted or that an amended answer be served." An evasive or incomplete disclosure, answer, or response must be treated as a failure to disclose, answer, or respond. *Fed.Rules.Civ.Proc.* Rule 37(a)(4).

PLAINTIFF'S CONTENTIONS:

Federal discovery law requires that, prior to the initiation of a motion to compel, the parties informally attempt to resolve discovery matters. (*Nevada Power Co. v. Monsanto Co.* (D.Nev. 1993) 151 F.R.D. 118, 120; *Tarkett, Inc. v. Congoleum Corp.* (E.D. Pa. 1992) 144 F.R.D. 282, 285-286; *Dondi Properties Corp. v. Commerce Sav. And Loan Ass'n* (N.D. Tex. 1988) 121 F.R.D. 284, 289 ["[t]he purpose of the conference requirement is to promote a frank exchange between counsel to resolve issues by agreement or at least narrow and focus the matters in controversy before judicial resolution is sought"]). Some federal courts have lamented that, "in many instances the [informal] conference requirements seems to have evolved into a pro forma matter." (*Dondi Properties Corp. v.*

1 *Commerce Sav. And Loan Ass'n, supra* 121 F.R.D. at p. 289.)

2 In *Nevada Power Co. v. Monsanto Co., supra*, 151 F.R.D. 118, 120, the court
 3 offered the following guidelines for the conduct of an informal negotiation
 4 conference: "[T]he parties must present to each other the merits of their respective positions
 5 with the same, candor, specificity, and support during informal negotiations as during the
 6 briefing of discovery motions. Only after all the cards have been laid on the table, and a
 7 party has meaningfully assessed the relative strengths and weaknesses of its position in
 8 light of all available information, can there be a 'sincere effort' to resolve the matter."

9 Not only have Defendants failed in their pre-filing obligations, they have failed to
 10 present this Court any substantive basis for granting their motion to compel Plaintiff to
 11 provide further discovery responses. The requests for admissions propounded by
 12 Defendants are poorly drafted and Defendants made no effort to clarify or resolve the
 13 ambiguities presented by Plaintiff. Plaintiff's objections are therefore meritorious and her
 14 answers are neither evasive nor incomplete. Indeed, Plaintiff has provided the best
 15 possible discovery response at this juncture. She cannot be required to admit or deny facts
 16 for which she does not have sufficient information to do so. More importantly,
 17 documentation which establishes the majority of Plaintiff's claims is within the possession,
 18 custody and control of Defendants.

19 **C. SHERIFF BACA'S INTERROGATORIES TO PLAINTIFF SHORTER**

20 **[SET ONE]:**

21 INTERROGATORY NO. 3: For each clearly established right guaranteed by the United
 22 States Constitution identified in YOUR answer to Interrogatory No. 1, IDENTIFY all
 23 PERSONS with knowledge of facts which support YOUR contention that SHERIFF
 24 BACA violated such rights.

25 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
 26 of the discovery process and discovery has not yet been completed. The responding party
 27 is therefore unable to provide a complete answer to this interrogatory at this time. The
 28 responding party will, however, state that the identities of persons with knowledge that

1 Defendant Baca violated Plaintiff's established rights guaranteed by the United States
2 Constitution are either employees or agents of the Defendant Los Angeles County.
3 Therefore, the identities of such persons are known or reasonably available to Defendant
4 Baca.

5 DEFICIENCY: Plaintiff's objection is without merit. The Plaintiff fails to identify a valid
6 objection and also fails to identify any persons that support her contention that Sheriff Baca
7 violated her rights.

8 INTERROGATORY NO. 4: For each clearly established right guaranteed by the United
9 States Constitution identified in YOUR answer to Interrogatory No. 1, IDENTIFY all
10 DOCUMENTS which support YOUR contention that SHERIFF BACA violated said
11 rights.

12 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
13 of the discovery process and discovery has not yet been completed. The responding party
14 is therefore unable to provide a complete answer to this interrogatory at this time. The
15 responding party will, however, state that the identities of documents that support
16 Plaintiff's contention that Defendant Baca violated Plaintiff's established rights guaranteed
17 by the United States Constitution are within the possession, custody or control of
18 Defendant Los Angeles County. Therefore, the documents are known or reasonably
19 available to Defendant Baca. Without waiving said objection, all records pertaining to
20 Plaintiff's arrests and incarceration at the Century Regional Detention Facility as well as
21 her medical records at St. Francis Medical Center in Lynwood, CA and Centinela Hospital
22 in Inglewood, CA.

23 DEFICIENCY: Plaintiff's objection is without merit. The Plaintiff fails to identify a valid
24 objection and also fails to identify any documents that support her contention that Sheriff
25 Baca violated her rights.

26 INTERROGATORY NO. 5: IDENTIFY all injuries and damages that YOU have sustained
27 which YOU claim were caused by SHERIFF BACA.

28 RESPONSE: Physical and emotional injuries.

1 DEFICIENCY: Plaintiff's answer is not complete. Plaintiff vaguely asserts physical and
2 emotional injuries without identifying the specific physical or emotional injury.

3 INTERROGATORY NO. 6: IDENTIFY all PERSONS who have knowledge of facts
4 which support YOUR contention that SHERIFF BACA caused YOU to suffer the injuries
5 and damages identified in YOUR response to Interrogatory No. 5.

6 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
7 of the discovery process and discovery has not yet been completed. The responding party
8 is therefore unable to provide a complete answer to this interrogatory at this time. Without
9 waiving said objection, Plaintiff Lecia Shorter, Defendant Baca, agents and employees of
10 Defendant Los Angeles County, employees at St. Francis Medical Center and Centinela
11 Hospital.

12 DEFICIENCY: Plaintiff's objection is without merit. The Plaintiff fails to identify a valid
13 objection and also fails to identify any persons that support her contention that Sheriff Baca
14 violated her rights.

15 INTERROGATORY NO. 7: IDENTIFY all DOCUMENTS which support YOUR
16 contention that SHERIFF BACA caused YOU to suffer the injuries and damages identified
17 in YOUR response to Interrogatory No. 5.

18 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
19 of the discovery process and discovery has not yet been completed. The responding party
20 is therefore unable to provide a complete answer to this interrogatory at this time. The
21 responding party will, however, state that the identities of majority documents that support
22 Plaintiff's contention that Defendant Baca caused Plaintiff to suffer injuries and damages
23 are within the possession, custody or control of Defendant Los Angeles County.

24 Therefore, the documents are known or reasonably available to Defendant Baca. Without
25 waiving said objection, all records pertaining to Plaintiff's arrests and incarceration at the
26 Century Regional Detention Facility as well as her medical records at St. Francis Medical
27 Center in Lynwood, CA and Centinela Hospital in Inglewood, CA and Cedars Sinai
28 Medical Center.

1 DEFICIENCY: Plaintiff's objection is without merit. The Plaintiff fails to identify a valid
2 objection and also fails to identify any documents that support her contention that Sheriff
3 Baca caused her to suffer injuries and damages.

4 INTERROGATORY NO. 9: Please describe in detail each INJURY YOU sustained as a
5 result of the INCIDENT, including but not limited to mental or physical INJURIES.

6 RESPONSE: Objection. Defendant Baca has not sufficiently defined the term
7 "INCIDENT" thereby causing its meaning to be vague and ambiguous such that the
8 responding party is required to speculate as to what is meant by the term in order to
9 respond.

10 DEFICIENCY: Plaintiff's objection is without merit. The Incident is defined as
11 circumstances and events that give rise to the cause of action as alleged in Plaintiff's
12 complaint. The incident is the action Plaintiff is suing for.

13 INTERROGATORY NO. 10: Please describe in detail each physical and/or emotional
14 INJURY that YOU still attribute to the INCIDENT, including the nature, severity, and
15 duration of each INJURY.

16 RESPONSE: Objection. Defendant Baca has not sufficiently defined the term
17 "INCIDENT" thereby causing its meaning to be vague and ambiguous such that the
18 responding party is required to speculate as to what is meant by the term in order to
19 respond.

20 DEFICIENCY: Plaintiff's objection is without merit. The Incident is defined as
21 circumstances and events that give rise to the cause of action as alleged in Plaintiff's
22 complaint. The incident is the action Plaintiff is suing for.

23 INTERROGATORY NO. 11: Please IDENTIFY (by name, address and telephone number)
24 each individual or HEALTH CARE PROVIDER from whom YOU received consultations,
25 examinations, or treatment for the injuries YOU attribute to the INCIDENT.

26 RESPONSE: Objection. Defendant Baca has not sufficiently defined the term
27 "INCIDENT" thereby causing its meaning to be vague and ambiguous such that the
28

1 responding party is required to speculate as to what is meant by the term in order to
2 respond.

3 DEFICIENCY: Plaintiff's objection is without merit. The Incident is defined as
4 circumstances and events that give rise to the cause of action as alleged in Plaintiff's
5 complaint. The incident is the action Plaintiff is suing for.

6 INTERROGATORY NO. 12: Please IDENTIFY (by name, address and telephone number)
7 each individual or HEALTH CARE PROVIDER from whom YOU received consultations,
8 examinations, or treatment for the five (5) year period preceding the INCIDENT.

9 RESPONSE: Objection. Defendant Baca has not sufficiently defined the term
10 "INCIDENT" thereby causing its meaning to be vague and ambiguous such that the
11 responding party is required to speculate as to what is meant by the term in order to
12 respond.

13 DEFICIENCY: Plaintiff's objection is without merit. The Incident is defined as
14 circumstances and events that give rise to the cause of action as alleged in Plaintiff's
15 complaint. The incident is the action Plaintiff is suing for.

16 INTERROGATORY NO. 13: Please state whether YOU have ever been diagnosed as
17 suffering from any mental and or physical illness, injury, condition, or drug/alcohol
18 dependency within the five (5) year period preceding the INCIDENT. If so, please state the
19 diagnosis for each illness.

20 RESPONSE: Objection. Defendant Baca has not sufficiently defined the term
21 "INCIDENT" thereby causing its meaning to be vague and ambiguous such that the
22 responding party is required to speculate as to what is meant by the term in order to
23 respond.

24 DEFICIENCY: Plaintiff's objection is without merit. The Incident is defined as
25 circumstances and events that give rise to the cause of action as alleged in Plaintiff's
26 complaint. The incident is the action Plaintiff is suing for.

27 INTERROGATORY NO. 14: Please state all facts that support YOUR contention that
28 SHERIFF BACA knew of the danger or risk to YOUR health and safety.

1 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
 2 of the discovery process and discovery has not yet been completed. The responding party
 3 is therefore unable to provide a complete answer to this interrogatory at this time. Further
 4 objection is made on the grounds that the request is overly broad because it fails to specify
 5 a particular time, circumstance or right to which it refers.

6 DEFICIENCY: Plaintiff's objection that the interrogatory is premature is without merit.
 7 Plaintiff complaint alleges that Sheriff Baca violated her constitutional rights. Defendant is
 8 entitled to all facts that support that Sheriff Baca knew of a danger or risk to Plaintiff's
 9 health or safety.

10 INTERROGATORY NO. 15: Please identify SHERIFF BACA'S subordinates that YOU
 11 claim deprived YOU of YOUR rights under the Constitution.

12 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
 13 of the discovery process and discovery has not yet been completed. The responding party
 14 is therefore unable to provide a complete answer to this interrogatory at this time. Further
 15 objection is made on the grounds that the request is overly broad because it fails to specify
 16 a particular time, circumstance or right to which it refers. Furthermore, the subordinates
 17 are employees or agents of the Defendant Los Angeles County. Therefore the identities of
 18 such persons are known or reasonably available to Defendant Baca. Without waiving said
 19 objection, Los Angeles Sheriff Deputy Ortiz, Los Angeles Sheriff Deputy Avalos, Los
 20 Angeles Sheriff Deputy Shane Parks, Los Angeles Sheriff Deputy Ian Beckford, Los
 21 Angeles Sheriff Deputy Nalls, Los Angeles Sheriff Deputy Moreno, Los Angeles Sheriff
 22 Deputy De Santa, and, Nurse Practitioner Bachelor.,

23 DEFICIENCY: Plaintiff's objection is without merit. The identity of the persons plaintiff
 24 claims deprived her of her rights is discoverable under F.R.C.P. 26 and 33.

25 INTERROGATORY NO. 16: Please provide any facts that support the contention that
 26 SHERIFF BACA directed his subordinates in the acts that deprived YOU of YOUR rights.

27 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
 28 of the discovery process and discovery has not yet been completed. The responding party

1 is therefore unable to provide a complete answer to this interrogatory at this time. Further
2 objection is made on the grounds that the request is overly broad because it fails to specify
3 a particular time, circumstance or right to which it refers. Without waiving said objections,
4 Defendant LEROY BACA was acting in the course and scope of his official capacity as the
5 elected Sheriff of Los Angeles County. As Sheriff, he is the chief executive officer of the
6 Los Angeles Sheriff Department. According to California law, the Sheriff is answerable for
7 the safekeeping of the inmates in his custody. California Government Code §§ 26605 and
8 26610; California Penal Code § 4006. Specifically, Defendant BACA is responsible for
9 the oversight, management and administration of policies of the County of Los Angeles
10 with reference to local jails, including but not limited to housing practices, transportation,
11 and, medical and dental service. This includes all matters relating to the selection,
12 supervision, promotion, training, and discipline of the uniformed staff, including the
13 supervisory security and medical staffs, of the County Jails. He is also responsible for the
14 care, custody, and control of all inmates housed in the County Jails.

15 DEFICIENCY: Plaintiff's objections are without merit. The Interrogatory is requesting all
16 facts that support Sheriff Baca directed his subordinates to deprive plaintiff's rights. The
17 Plaintiff's response is non-responsive to the Interrogatory.

18 INTERROGATORY NO. 17: Please provide any facts that support the contention that
19 SHERIFF BACA set in motion a series of acts by his subordinates that he knew or
20 reasonably should have known would cause the subordinates to deprive YOU of YOUR
21 rights.

22 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
23 of the discovery process and discovery has not yet been completed. The responding party
24 is therefore unable to provide a complete answer to this interrogatory at this time. Further
25 objection is made on the grounds that the request is overly broad because it fails to specify
26 a particular time, circumstance or right to which it refers. Without waiving said objections,
27 Defendant LEROY BACA was acting in the course and scope of his official capacity as the
28 elected Sheriff of Los Angeles County. As Sheriff, he is the chief executive officer of the

1 Los Angeles Sheriff Department. According to California law, the Sheriff is answerable for
2 the safekeeping of the inmates in his custody. California Government Code §§ 26605 and
3 26610; California Penal Code § 4006. Specifically, Defendant BACA is responsible for
4 the oversight, management and administration of policies of the County of Los Angeles
5 with reference to local jails, including but not limited to housing practices, transportation,
6 and, medical and dental service. This includes all matters relating to the selection,
7 supervision, promotion, training, and discipline of the uniformed staff, including the
8 supervisory security and medical staffs, of the County Jails. He is also responsible for the
9 care, custody, and control of all inmates housed in the County Jails.

10 DEFICIENCY: Plaintiff's objections are without merit. The Interrogatory is requesting all
11 facts that support Sheriff Baca directed his subordinates to deprive plaintiff's rights. The
12 Plaintiff's response is non-responsive to the Interrogatory.

13 INTERROGATORY NO. 18: Please provide any facts that support SHERIFF BACA
14 knew, or reasonably should have known, that his subordinates were engaging in acts that
15 violated YOUR rights.

16 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
17 of the discovery process and discovery has not yet been completed. The responding party
18 is therefore unable to provide a complete answer to this interrogatory at this time. Further
19 objection is made on the grounds that the request is overly broad because it fails to specify
20 a particular time, circumstance or right to which it refers. Without waiving said objections,
21 Defendant LEROY BACA was acting in the course and scope of his official capacity as the
22 elected Sheriff of Los Angeles County. As Sheriff, he is the chief executive officer of the
23 Los Angeles Sheriff Department. According to California law, the Sheriff is answerable for
24 the safekeeping of the inmates in his custody. California Government Code §§ 26605 and
25 26610; California Penal Code § 4006. Specifically, Defendant BACA is responsible for
26 the oversight, management and administration of policies of the County of Los Angeles
27 with reference to local jails, including but not limited to housing practices, transportation,
28 and, medical and dental service. This includes all matters relating to the selection,

1 supervision, promotion, training, and discipline of the uniformed staff, including the
2 supervisory security and medical staffs, of the County Jails. He is also responsible for the
3 care, custody, and control of all inmates housed in the County Jails.

4 Additionally, Plaintiff filed numerous complaints with Defendant Baca and the
5 County of Los Angeles informing them that Defendant Baca's subordinates were depriving
6 Plaintiff of her rights under the Constitution.

7 DEFICIENCY: Plaintiff's objections are without merit. The Interrogatory is requesting all
8 facts that support Sheriff Baca directed his subordinates to deprive plaintiff's rights. The
9 Plaintiff's response is non-responsive to the Interrogatory.

10 INTERROGATORY NO. 19: Please provide any facts that support the fact that SHERIFF
11 BACA failed to act to prevent his subordinates from engaging in acts that violated YOUR
12 rights.

13 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
14 of the discovery process and discovery has not yet been completed. The responding party
15 is therefore unable to provide a complete answer to this interrogatory at this time. Further
16 objection is made on the grounds that the request is overly broad because it fails to specify
17 a particular time, circumstance or right to which it refers. Without waiving said objections,
18 Defendant LEROY BACA was acting in the course and scope of his official capacity as the
19 elected Sheriff of Los Angeles County. As Sheriff, he is the chief executive officer of the
20 Los Angeles Sheriff Department. According to California law, the Sheriff is answerable for
21 the safekeeping of the inmates in his custody. California Government Code §§ 26605 and
22 26610; California Penal Code § 4006. Specifically, Defendant BACA is responsible for
23 the oversight, management and administration of policies of the County of Los Angeles
24 with reference to local jails, including but not limited to housing practices, transportation,
25 and, medical and dental service. This includes all matters relating to the selection,
26 supervision, promotion, training, and discipline of the uniformed staff, including the
27 supervisory security and medical staffs, of the County Jails. He is also responsible for the
28 care, custody, and control of all inmates housed in the County Jails.

1 Additionally, Plaintiff filed numerous complaints with Defendant Baca and the
2 County of Los Angeles informing them that Defendant Baca's subordinates were depriving
3 Plaintiff of her rights under the Constitution and Baca took no action to investigate
4 Plaintiff's complaints, reprimands his subordinates or institute policies and procedures that
5 would prevent his subordinates from engaging in acts that violated Plaintiff's rights.

6 DEFICIENCY: Plaintiff's objections are without merit. The Interrogatory is requesting all
7 facts that support Sheriff Baca directed his subordinates to deprive plaintiff's rights. The
8 Plaintiff's response is non-responsive to the Interrogatory.

9 INTERROGATORY NO. 20: Please IDENTIFY all persons who are witnessed the
10 INCIDENT.

11 RESPONSE: Objection. Defendant Baca has not sufficiently defined the term
12 "INCIDENT" thereby causing its meaning to be vague and ambiguous such that the
13 responding party is required to speculate as to what is meant by the term in order to
14 respond. Further objection is made on the ground that the interrogatory is overly broad in
15 that it does not indicate a time or particular circumstance to which it refers.

16 DEFICIENCY: Plaintiff's objection is without merit. The Incident is defined as the
17 circumstances and events that give rise to the cause of action as alleged in Plaintiff's
18 complaint. The incident is the action Plaintiff is suing for.

19 INTERROGATORY NO. 21: Please IDENTIFY all witnesses to YOUR claim of denial of
20 medical care.

21 RESPONSE: Objection. This request is overly broad in that it does not indicate a time or
22 particular circumstance to which it refers. Without waiving said objection, Nurse
23 Practitioner Bachelor and various other agents and employees of Defendant Los Angeles
24 County.

25 DEFICIENCY: Plaintiff's objection is without merit. Defendant is seeking the identity of
26 all witnesses to any and all of plaintiff's claims of denial of medical care.

27 INTERROGATORY NO. 22: Please IDENTIFY all witnesses to YOUR claim of
28 excessive force.

1 RESPONSE: Objection. This request is overly broad in that it does not indicate a time or
2 particular circumstance to which it refers.

3 DEFICIENCY: Plaintiff's objection is without merit. Defendant is seeking the identity of
4 all witnesses to any and all of plaintiff's claims of excessive force.

5 INTERROGATORY NO. 23: Please IDENTIFY all witnesses to YOUR claim of a sexual
6 assault.

7 RESPONSE: Objection. This request is overly broad in that it does not indicate a time or
8 particular circumstance to which it refers.

9 DEFICIENCY: Plaintiff's objection is without merit. Defendant is seeking the identity of
10 all witnesses to any and all of plaintiff's claims of denial of sexual assault.

11 INTERROGATORY NO. 24: Please IDENTIFY all witnesses to YOUR claim of a
12 violation of conditions of confinement.

13 RESPONSE: Objection. This request is overly broad in that it does not indicate a time or
14 particular circumstance to which it refers. Without waiving said objection, employees and
15 agents of Defendant Los Angeles County and members of the Los Angeles Sheriff's
16 Department.

17 DEFICIENCY: Plaintiff's objection is without merit. Defendant is seeking the identity of
18 all witnesses to any and all of plaintiff's claims of denial of constitutional conditions of
19 confinement.

20 **DEFENSE'S CONTENTIONS:**

21 *Federal Rules of Civil Procedure* 37(a)(3)(B)(iii) provides, "A party seeking
22 discovery may move for an order compelling an answer, designation, production or
23 inspection. This motion may be made if...a party fails to answer an interrogatory submitted
24 under Rule 33." An evasive or incomplete disclosure, answer, or response must be treated
25 as a failure to disclose, answer, or respond. *Fed.Rules.Civ.Proc.* Rule 37(a)(4).

26 **PLAINTIFF'S CONTENTIONS:**

27 Federal discovery law requires that, prior to the initiation of a motion to compel, the
28 parties informally attempt to resolve discovery matters. (*Nevada Power Co. v. Monsanto*

1 Co. (D.Nev. 1993) 151 F.R.D. 118, 120; *Tarkett, Inc. v. Congoleum Corp.* (E.D. Pa. 1992)
 2 144 F.R.D. 282, 285-286; *Dondi Properties Corp. v. Commerce Sav. And Loan Ass'n*
 3 (N.D. Tex. 1988) 121 F.R.D. 284, 289 “[t]he purpose of the conference requirement is to
 4 promote a frank exchange between counsel to resolve issues by agreement or at least
 5 narrow and focus the matters in controversy before judicial resolution is sought”)). Some
 6 federal courts have lamented that, “in many instances the [informal] conference
 7 requirements seems to have evolved into a pro forma matter.” (*Dondi Properties Corp. v.*
 8 *Commerce Sav. And Loan Ass'n*, *supra* 121 F.R.D. at p. 289.)

9 In *Nevada Power Co. v. Monsanto Co.*, *supra*, 151 F.R.D. 118, 120, the court
 10 offered the following guidelines for the conduct of an informal negotiation
 11 conference: “[T]he parties must present to each other the merits of their respective positions
 12 with the same, candor, specificity, and support during informal negotiations as during the
 13 briefing of discovery motions. Only after all the cards have been laid on the table, and a
 14 party has meaningfully assessed the relative strengths and weaknesses of its position in
 15 light of all available information, can there be a ‘sincere effort’ to resolve the matter.”

16 Not only have Defendants failed in their pre-filing obligations, they have failed to
 17 present this Court any substantive basis for granting their motion to compel Plaintiff to
 18 provide further discovery responses. The special interrogatories propounded by Defendant
 19 Baca are poorly drafted and counsel for Defendant Baca made no effort to clarify or
 20 resolve the ambiguities presented by Plaintiff. Plaintiff’s objections are therefore
 21 meritorious and her answers are neither evasive nor incomplete. Indeed, Plaintiff has
 22 provided the best possible discovery response at this juncture. She cannot be required to
 23 respond to poorly drafted interrogatories particularly since Defendants are contending that
 24 some of Plaintiff’s claims are either barred by the applicable statute of limitations or are
 25 irrelevant. More importantly, documentation which establishes the majority of Plaintiff’s
 26 claims is within the possession, custody and control of Defendants. And, the identity of
 27 employees and agents of the Los Angeles Sheriff’s Department and Los Angeles County as
 28 well as additional information sought by Defendants is within their exclusive knowledge.

**D. COUNTY OF LOS ANGELES INTERROGATORIES TO PLAINTIFF
SHORTER [SET ONE]:**

INTERROGATORY NO. 3: For each clearly established right guaranteed by the United States Constitution identified in YOUR answer to Interrogatory No. 1, IDENTIFY all PERSONS with knowledge of facts which support YOUR contention that the COUNTY OF LOS ANGELES violated said rights.

RESPONSE: Objection. This interrogatory is premature because we are in the beginning of the discovery process and discovery has not yet been completed. The responding party is therefore unable to provide a complete answer to this interrogatory at this time. The responding party will, however, state that the identities of persons with knowledge that Defendant County of Los Angeles violated Plaintiff's established rights guaranteed by the United States Constitution are either employees or agents of the Defendant Los Angeles County. Therefore, the identities of such persons are known or reasonably available to Defendant County of Los Angeles.

DEFICIENCY: Plaintiff's answer is non-responsive. Plaintiff does not identify any person in her response.

INTERROGATORY NO. 4: For each clearly established right guaranteed by the United States Constitution identified in YOUR answer to Interrogatory No. 1, IDENTIFY all DOCUMENTS which support YOUR contention that the COUNTY OF LOS ANGELES violated said rights.

RESPONSE: Objection. This interrogatory is premature because we are in the beginning of the discovery process and discovery has not yet been completed. The responding party is therefore unable to provide a complete answer to this interrogatory at this time. The responding party will, however, state that the identities of documents that support Plaintiff's contention that Defendant County of Los Angeles violated Plaintiff's established rights guaranteed by the United States Constitution are within the possession, custody or control of the Defendant Los Angeles County. Therefore, the documents are known or reasonably available to Defendant County of Los Angeles. Without waiving said objection,

1 all records pertaining to Plaintiff's arrests and incarceration at the Century Regional
2 Detention Facility as well as her medical records at St. Francis Medical Center in
3 Lynwood, CA and Centinela Hospital in Inglewood, CA.

4 DEFICIENCY: Plaintiff's objection and assertion that responsive documents are within the
5 possession of Defendant is without merit. Plaintiff does not IDENTIFY any such
6 documents.

7 INTERROGATORY NO. 5: IDENTIFY all injuries and damages that YOU have sustained
8 which YOU claim were caused by the COUNTY OF LOS ANGELES.

9 RESPONSE: Physical and emotion injuries.

10 DEFICIENCY: Plaintiff's answer is not complete. Plaintiff vaguely asserts physical and
11 emotional injuries without identifying the specific physical or emotional injury.

12 INTERROGATORY NO. 6: IDENTIFY all PERSONS who have knowledge of facts
13 which support YOUR contention that the COUNTY OF LOS ANGELES caused YOU to
14 suffer the injuries and damages identified in YOUR response to Interrogatory No. 5.

15 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
16 of the discovery process and discovery has not yet been completed. The responding party
17 is therefore unable to provide a complete answer to this interrogatory at this time. Without
18 waiving said objection, Plaintiff Lecia Shorter, Defendant Baca, agents and employees of
19 Defendant Los Angeles County, employees at St. Francis Medical Center and Centinela
20 Hospital.

21 DEFICIENCY: Plaintiff's objection is without merit. The Plaintiff fails to IDENTIFY any
22 persons.

23 INTERROGATORY NO. 7: IDENTIFY all DOCUMENTS which support YOUR
24 contention that the COUNTY OF LOS ANGELES caused YOU to suffer the injuries and
25 damages identified in YOUR response to Interrogatory No. 5.

26 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
27 of the discovery process and discovery has not yet been completed. The responding party
28 is therefore unable to provide a complete answer to this interrogatory at this time. The

1 responding party will, however, state that the identities of the majority documents that
2 support Plaintiff's contention that Defendant County of Los Angeles caused Plaintiff to
3 suffer injuries and damages are within the possession, custody or control of the Defendant
4 Los Angeles County. Therefore, the documents are known or reasonably available to
5 Defendant County of Los Angeles. Without waiving said objection, all records pertaining
6 to Plaintiff's arrests and incarceration at the Century Regional Detention Facility as well as
7 her medical records at St. Francis Medical Center in Lynwood, CA, Centinela Hospital in
8 Inglewood, CA and Cedars Sinai Medical Center.

9 DEFICIENCY: Plaintiff's objection is without merit. The Plaintiff fails to identify a valid
10 objection and also fails to identify any documents.

11 INTERROGATORY NO. 9: Please list every federal violation YOU claim and YOUR
12 basis of liability.

13 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
14 of the discovery process and discovery has not yet been completed. The responding party
15 is therefore unable to provide a complete answer to this interrogatory at this time. The
16 responding party will, however, state that Defendant County of Los Angeles has violated
17 42 U.S.C. §1983, the failure to implement appropriate policies, customs and practices; The
18 right to be free of cruel and unusual punishment, guaranteed by the Eighth and Fourteenth
19 Amendments to the United States Constitution; Sixth Amendment right to a speedy trial;
20 the right to be free of excessive bail; the First Amendment right to freedom of religion;
21 Sixth Amendment right to be represented by counsel for her defense; and, the First
22 Amendment right to freedom of association with her attorney. Defendant County of Los
23 Angeles has also violated any and all federal laws, rules and regulations regarding the
24 oversight, management and administration of policies concerning local jails, including but
25 not limited to housing practices, transportation, and, medical and dental services and safety
26 and well being of inmates.

27 DEFICIENCY: Plaintiff provides that a complete answer can not be provided. Defendant is
28 entitled to this information under F.R.C.P. Rule 26 and 33.

INTERROGATORY NO. 11: Please list and IDENTIFY all YOUR criminal convictions.

RESPONSE: Objection. This interrogatory is irrelevant in that it does seek information which will prove or disprove any matter that is of significance to the issues in the pending action. Neither is likely to lead to the discovery of admissible evidence. Further objection is made on the grounds that any “criminal convictions” are matter of public record and such record and such information is equally available to the propounding party.

DEFICIENCY: Defendant is entitled to this information under F.R.C.P. Rule 26 and 33.

Moreover, Plaintiff’s prior convictions are discoverable for impeachment purposes.

INTERROGATORY NO. 12: Please state YOUR true name and social security number.

RESPONSE: Objection. This interrogatory seeks to invade Plaintiff’s constitutional right of privacy. Without waiving said objection, Lecia Lenette Shorter.

DEFICIENCY: Defendant is entitled to this information under F.R.C.P. Rule 26 and 33.

Defendant can not obtain Plaintiff’s medical records without a social security number.

DEFENSE’S CONTENTIONS:

Federal Rules of Civil Procedure 37(a)(3)(B)(iii) provides, “A party seeking discovery may move for an order compelling an answer, designation, production or inspection. This motion may be made if...a party fails to answer an interrogatory submitted under Rule 33.” An evasive or incomplete disclosure, answer, or response must be treated as a failure to disclose, answer, or respond. *Fed.Rules.Civ.Proc.* Rule 37(a)(4).

PLAINTIFF’S CONTENTIONS:

Federal discovery law requires that, prior to the initiation of a motion to compel, the parties informally attempt to resolve discovery matters. (*Nevada Power Co. v. Monsanto Co.* (D.Nev. 1993) 151 F.R.D. 118, 120; *Tarkett, Inc. v. Congoleum Corp.* (E.D. Pa. 1992) 144 F.R.D. 282, 285-286; *Dondi Properties Corp. v. Commerce Sav. And Loan Ass’n* (N.D. Tex. 1988) 121 F.R.D. 284, 289 “[t]he purpose of the conference requirement is to promote a frank exchange between counsel to resolve issues by agreement or at least narrow and focus the matters in controversy before judicial resolution is sought”]). Some federal courts have lamented that, “in many instances the [informal] conference

requirements seems to have evolved into a pro for a matter.” (*Dondi Properties Corp. v. Commerce Sav. And Loan Ass’n, supra* 121 F.R.D. at p. 289.)

In *Nevada Power Co. v. Monsanto Co., supra*, 151 F.R.D. 118, 120, the court offered the following guidelines for the conduct of an informal negotiation conference: “[T]he parties must present to each other the merits of their respective positions with the same, candor, specificity, and support during informal negotiations as during the briefing of discovery motions. Only after all the cards have been laid on the table, and a party has meaningfully assessed the relative strengths and weaknesses of its position in light of all available information, can there be a ‘sincere effort’ to resolve the matter.”

Not only have Defendants failed in their pre-filing obligations, they have failed to present this Court any substantive basis for granting their motion to compel Plaintiff to provide further discovery responses. The special interrogatories propounded by Defendant County of Los Angeles are poorly drafted and counsel for Defendant County of Los Angeles made no effort to clarify or resolve the ambiguities presented by Plaintiff. Plaintiff’s objections are therefore meritorious and her answers are neither evasive nor incomplete. Indeed, Plaintiff has provided the best possible discovery response at this juncture. She cannot be required to respond to poorly drafted interrogatories particularly since Defendants are contending that some of Plaintiff’s claims are either barred by the applicable statute of limitations or are irrelevant. More importantly, documentation which establishes the majority of Plaintiff’s claims is within the possession, custody and control of Defendants. And, the identity of employees and agents of the Los Angeles Sheriff’s Department and Los Angeles County as well as additional information sought by Defendants is within their exclusive knowledge.

**E. COUNTY OF LOS ANGELES REQUEST FOR PRODUCTION OF
DOCUMENTS TO PLAINTIFF SHORTER [SET ONE]:**

REQUEST NO. 2: Any and all DOCUMENTS which support YOUR contention that the COUNTY OF LOS ANGELES deprived YOU of YOUR rights guaranteed by the United States Constitution.

1 RESPONSE: Objection. This request is overly broad because it fails to specify a particular
2 time, circumstances of right to which it refers. The responding party further objections on
3 the grounds that the identifies of documents that support Plaintiff's contentions that
4 Defendant County of Los Angeles deprived Plaintiff of her established rights guaranteed
5 by the United States Constitution are within the possession, custody or control of
6 Defendant Los Angeles County. Therefore, the documents are known or reasonably
7 available to Defendant County of Los Angeles.

8 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
9 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
10 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
11 party a request within the scope of Rule 26(b). The request is seeking documents that
12 support Plaintiff's claim that the County of Los Angeles violated her constitutional rights
13 as alleged in the Complaint. This is a simple request for information that is directly
14 relevant to plaintiff's claim.

15 REQUEST NO. 3: Any and all DOCUMENTS which show all injuries and damages which
16 YOU claim were caused by the COUNTY OF LOS ANGELES.

17 RESPONSE: Objection. This request is premature because we are in the beginning of the
18 discovery process and discovery has not yet been completed. The responding party is
19 therefore unable to full comply with this request at this time. Many of the documents
20 responsive to this request are in the possession, custody or control of Defendant Los
21 Angeles County and are therefore reasonably available to Defendant Los Angeles County.
22 Without waiving said objection, the responding party states that the following documents
23 support her contention that the County of Los Angeles caused her to suffer the injuries and
24 damages. Any and all records regarding Plaintiff from her incarcerations at Century
25 Regional Detention Facility; Plaintiff's medical records from St. Francis Medical Center,
26 L.A.-U.S.C. County Medical Center, Centinela Hospital, Cedars Sinai Medical Center;
27 records and video recordings regarding Plaintiff in the possession of Los Angeles County
28 Sheriff's Department; Los Angeles County Sheriff's investigative report regarding the use

1 of excessive force by Los Angeles County Sheriff Deputy Ian Beckford; Executive
 2 Summary of the Commission on Jail Violence; and, photographs of Plaintiff's injuries
 3 cause by Los Angeles County Sheriff Deputy Shane Parks. Plaintiff does not presently
 4 have possession of her medical records or any of the documents identified with the
 5 exception of photographs of Plaintiff's injuries caused by Los Angeles County Sheriff
 6 Deputy Shane Parks. Plaintiff's medical records are in the possession, custody and control
 7 of those health care providers that have been identified in this response. The Summary of
 8 the Commission on Jail Violence is a public record and is therefore equally available to
 9 Defendant County of Los Angeles.

10 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
 11 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
 12 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
 13 party a request within the scope of Rule 26(b). The request is seeking documents that
 14 support Plaintiff's claim that the County of Los Angeles caused her injuries. This is a
 15 simple request for information that is directly relevant to plaintiff's claim.

16 REQUEST NO. 4: Any and all DOCUMENTS from any HEALTH CARE FACILITIES
 17 including hospitals, clinics, emergency rooms, and infirmaries where YOU received
 18 examination, consultation, treatment, hospitalization, physical therapy, surgery, or any
 19 other medical service from which YOU received medical attention for injuries which YOU
 20 contend were caused by the LOS ANGELES COUNTY SHERIFF'S DEPARTMENT.

21 RESPONSE: Documents responsive to this request include Plaintiff's medical records
 22 from Century Regional Detention Facility; L.A.-U.S.C. County Medical Center, St. Francis
 23 Medical Center and Centinela Hospital. Plaintiff does not presently have possession of her
 24 medical records. Plaintiff's medical records are, however, in the possession, custody and
 25 control of those health care providers that have been identified in this response.

26 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
 27 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
 28 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other

1 party a request within the scope of Rule 26(b). The request is seeking documents that
2 support Plaintiff's claim that the County of Los Angeles violated her constitutional rights
3 as alleged in the Complaint. This is a simple request for information that is directly
4 relevant to plaintiff's claim.

5 REQUEST NO. 5: Any and all DOCUMENTS which support YOUR contention that the
6 policies and/or customs of the COUNTY OF LOS ANGELES caused a violation of YOUR
7 rights guaranteed by the United States Constitution.

8 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
9 of the discovery process and discovery has not yet been completed. The responding party
10 is therefore unable to provide a complete answer to this interrogatory at this time. Further
11 objection is made on the grounds that the interrogatory is overly broad because it fails to
12 specify a particular time, circumstance or right to which it refers. Without waiving said
13 objections, Executive Summary of the Commission on Jail Violence and all documents that
14 reference the County of Los Angeles' legal obligations regarding oversight, management
15 and administration of local jails, including but not limited to housing practices,
16 transportation, and, medical and dental service. This includes all matters relating to the
17 selection, supervision, promotion, training, and discipline of the uniformed staff, including
18 the supervisory security and medical staffs, of the County Jails. He is also responsible for
19 the care, custody, and control of all inmates housed in the County Jails. The County of Los
20 Angeles is also responsible for the care, custody, and control of all inmates housed in the
21 County Jails. These documents are within the possession, custody and control of
22 Defendant Baca and/or Defendant Los Angeles County.

23 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
24 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
25 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
26 party a request within the scope of Rule 26(b). The request is seeking documents that
27 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
28 a simple request for information that is directly relevant to plaintiff's claim.

1 REQUEST NO. 6: Any and all DOCUMENTS which support YOUR contention that the
2 policies and/or customs of the COUNTY OF LOS ANGELES which allegedly caused a
3 violation of YOUR rights guaranteed by the United States Constitution are in fact policies
4 and/or customs of the COUNTY OF LOS ANGELES.

5 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
6 of the discovery process and discovery has not yet been completed. The responding party
7 is therefore unable to provide a complete answer to this interrogatory at this time. Further
8 objection is made on the grounds that the interrogatory is overly broad because it fails to
9 specify a particular time, circumstance or right to which it refers. Without waiving said
10 objections, Executive Summary of the Commission on Jail Violence and all documents that
11 reference the County of Los Angeles' legal obligations regarding oversight, management
12 and administration of local jails, including but not limited to housing practices,
13 transportation, and, medical and dental service. This includes all matters relating to the
14 selection, supervision, promotion, training, and discipline of the uniformed staff, including
15 the supervisory security and medical staffs, of the County Jails. The County of Los
16 Angeles is also responsible for the care, custody, and control of all inmates housed in the
17 County Jails. The County of Los Angeles is also responsible for the care, custody, and
18 control of all inmates housed in the County Jails. These documents are within the
19 possession, custody and control of Defendant Baca and/or Defendant Los Angeles County.

20 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
21 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
22 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
23 party a request within the scope of Rule 26(b). The request is seeking documents that
24 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
25 a simple request for information that is directly relevant to plaintiff's claim.

26 REQUEST NO. 7: Any and all DOCUMENTS which support YOUR contention that the
27 alleged failure by the COUNTY OF LOS ANGELES to properly train, supervise, or
28

1 discipline its personnel lead to a deprivation of YOUR rights guaranteed by the United
2 States Constitution.

3 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
4 of the discovery process and discovery has not yet been completed. The responding party
5 is therefore unable to provide a complete answer to this interrogatory at this time. Further
6 objection is made on the grounds that the interrogatory is overly broad in its failure to
7 indicate a time or circumstance to which it refers. Without waiving said objections,
8 Executive Summary of the Commission on Jail Violence and all documents that reference
9 the County of Los Angeles' legal obligations regarding oversight, management and
10 administration of local jails, including but not limited to housing practices, transportation,
11 and, medical and dental service. This includes all matters relating to the selection,
12 supervision, promotion, training, and discipline of the uniformed staff, including the
13 supervisory security and medical staffs, of the County Jails. The County of Los Angeles is
14 also responsible for the care, custody, and control of all inmates housed in the County Jails.
15 These documents are within the possession, custody and control of Defendant Baca and/or
16 Defendant Los Angeles County.

17 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
18 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
19 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
20 party a request within the scope of Rule 26(b). The request is seeking documents that
21 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
22 a simple request for information that is directly relevant to plaintiff's claim.

23 REQUEST NO. 8: Any and all DOCUMENTS which support YOUR contention that the
24 COUNTY OF LOS ANGELES was aware of a substantial risk of serious harm to YOU
25 prior to the INCIDENT.

26 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
27 of the discovery process and discovery has not yet been completed. The responding party
28 is therefore unable to provide a complete answer to this interrogatory at this time. Further

1 objection is made on the grounds that the interrogatory is overly broad in its failure to
2 indicate a time or circumstance to which it refers. Without waiving said objections, the
3 Executive Summary of the Commission on Jail Violence and all documents that reference
4 the County of Los Angeles' legal obligations regarding oversight, management and
5 administration of local jails, including but not limited to housing practices, transportation,
6 and, medical and dental service. This includes all matters relating to the selection,
7 supervision, promotion, training, and discipline of the uniformed staff, including the
8 supervisory security and medical staffs, of the County Jails. The County of Los Angeles is
9 also responsible for the care, custody, and control of all inmates housed in the County Jails.
10 These documents are within the possession, custody and control of Defendant Baca and/or
11 Defendant Los Angeles County.

12 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
13 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
14 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
15 party a request within the scope of Rule 26(b). The request is seeking documents that
16 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
17 a simple request for information that is directly relevant to plaintiff's claim.

18 REQUEST NO. 9: Any and all DOCUMENTS which support YOUR contention that
19 despite being aware of the substantial risk of serious harm to YOU prior to the INCIDENT,
20 the COUNTY OF LOS ANGELES failed to protect YOU from the INCIDENT.

21 RESPONSE: Objection. This request is vague and ambiguous in that Defendant has failed
22 to adequately define the term "INCIDENT". The term is also overly broad in that there
23 were numerous "incidents" referenced in the FAC and Plaintiff is not certain to which
24 incident Defendant is referring. Without waiving said objections, the Executive Summary
25 of the Commission on Jail Violence and all documents that reference the County of Los
26 Angeles' legal obligations regarding oversight, management and administration of local
27 jails, including but not limited to housing practices, transportation, and, medical and dental
28 service. This includes all matters relating to the selection, supervision, promotion, training,

1 and discipline of the uniformed staff, including the supervisory security and medical staffs,
2 of the County Jails. The County of Los Angeles is also responsible for the care, custody,
3 and control of all inmates housed in the County Jails. These documents are within the
4 possession, custody and control of Defendant Baca and/or Defendant Los Angeles County.

5 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
6 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
7 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
8 party a request within the scope of Rule 26(b). The request is seeking documents that
9 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
10 a simple request for information that is directly relevant to plaintiff's claim.

11 REQUEST NO. 10: Any and all DOCUMENTS which support YOUR contention that the
12 COUNTY OF LOS ANGELES maintained policies and/or customs which lead to a
13 deprivation of your constitutionally or federally guaranteed rights.

14 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
15 of the discovery process and discovery has not yet been completed. The responding party
16 is therefore unable to provide a complete answer to this interrogatory at this time. Further
17 objection is made on the grounds that the interrogatory is overly broad in its failure to
18 indicate a time or circumstance to which it refers. Without waiving said objections, the
19 Executive Summary of the Commission on Jail Violence and all documents that reference
20 the County of Los Angeles' legal obligations regarding oversight, management and
21 administration of local jails, including but not limited to housing practices, transportation,
22 and, medical and dental service. This includes all matters relating to the selection,
23 supervision, promotion, training, and discipline of the uniformed staff, including the
24 supervisory security and medical staffs, of the County Jails. The County of Los Angeles is
25 also responsible for the care, custody, and control of all inmates housed in the County Jails.
26 These documents are within the possession, custody and control of Defendant Los Angeles
27 County.
28

1 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
2 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
3 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
4 party a request within the scope of Rule 26(b). The request is seeking documents that
5 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
6 a simple request for information that is directly relevant to plaintiff's claim.

7 REQUEST NO. 11: Any and all DOCUMENTS which support YOUR contention that the
8 COUNTY OF LOS ANGELES failed to train its employees.

9 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
10 of the discovery process and discovery has not yet been completed. The responding party
11 is therefore unable to provide a complete answer to this interrogatory at this time. Further
12 objection is made on the grounds that the interrogatory is overly broad in its failure to
13 indicate a time or circumstance to which it refers. Without waiving said objections, the
14 Executive Summary of the Commission on Jail Violence. This document is a public record
15 and is therefore equally available to Defendant County of Los Angeles.

16 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
17 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
18 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
19 party a request within the scope of Rule 26(b). The request is seeking documents that
20 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
21 a simple request for information that is directly relevant to plaintiff's claim.

22 REQUEST NO. 12: Any and all DOCUMENTS including reports or records, of medical,
23 surgical, chiropractic, psychological, psychiatric or other treatment, examination,
24 evaluation, hospitalization or ambulatory services that YOU are claiming as damages
25 resulting from the INCIDENT.

26 RESPONSE: Documents responsive to this request include Plaintiff's medical records
27 from Century Regional Detention Facility, L.A.-U.S.C. County Medical Center, Cedars
28 Sinai Medical Center, St. Francis Medical Center and Centinela Hospital. Plaintiff does

1 not presently have possession of her medical records. Plaintiff's medical records are in the
2 possession, custody and control of those health care providers that have been identified in
3 this response.

4 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
5 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
6 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
7 party a request within the scope of Rule 26(b). The request is seeking documents that
8 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
9 a simple request for information that is directly relevant to plaintiff's claim.

10 REQUEST NO. 13: Any and all DOCUMENTS including written or recorded statements
11 made by any PERSON(S) concerning the INCIDENT alleged in YOUR FAC.

12 RESPONSE: Objection. This request is vague and ambiguous in that Defendant has failed
13 to adequately define the term "INCIDENT". The request is also overly broad in that there
14 were numerous "incidents" referenced in the FAC and Plaintiff is not certain to which
15 incident Defendant is referring.

16 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
17 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
18 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
19 party a request within the scope of Rule 26(b). The request is seeking documents that
20 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
21 a simple request for information that is directly relevant to plaintiff's claim.

22 REQUEST NO. 14: Any and all written or recorded statements made by YOU concerning
23 the INCIDENT alleged in YOUR FAC.

24 RESPONSE: Objection. This request is vague and ambiguous in that Defendant has failed
25 to adequately define the term "INCIDENT". The request is also overly broad in that there
26 were numerous "incidents" referenced in the FAC and Plaintiff is not certain to which
27 incident Defendant is referring.
28

1 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
 2 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
 3 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
 4 party a request within the scope of Rule 26(b). The request is seeking documents that
 5 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
 6 a simple request for information that is directly relevant to plaintiff's claim.

7 REQUEST NO. 15: Any and all complaints made by YOU to the COUNTY OF LOS
 8 ANGELES concerning the INCIDENT alleged in YOUR FAC.

9 RESPONSE: Objection. This request is vague and ambiguous in that Defendant has failed
 10 to adequately define the term "INCIDENT" and "complaint." The request is also overly
 11 broad in that there were numerous "incidents" referenced in the FAC and Plaintiff is not
 12 certain to which incident Defendant is referring or the nature and/or type of complaint.

13 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
 14 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
 15 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
 16 party a request within the scope of Rule 26(b). The request is seeking documents that
 17 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
 18 a simple request for information that is directly relevant to plaintiff's claim.

19 REQUEST NO. 16: Any and all complaints made by YOU to PERSONS or entities other
 20 than the COUNTY OF LOS ANGELES concerning the INCIDENT alleged in YOUR
 21 FAC.

22 RESPONSE: Objection. This request is vague and ambiguous in that Defendant has failed
 23 to adequately define the term "INCIDENT" and "complaint." The request is also overly
 24 broad in that there were numerous "incidents" referenced in the FAC and Plaintiff is not
 25 certain to which incident Defendant is referring or the nature and/or type of complaint.

26 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
 27 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
 28 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other

1 party a request within the scope of Rule 26(b). The request is seeking documents that
2 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
3 a simple request for information that is directly relevant to plaintiff's claim.

4 REQUEST NO. 17: Any and all DOCUMENTS which support the contention that the
5 training policies of the COUNTY OF LOS ANGELES were not adequate to train its
6 employees to handle the usual and recurring situations with which they must deal.

7 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
8 of the discovery process and discovery has not yet been completed. The responding party
9 is therefore unable to provide a complete answer to this interrogatory at this time. Further
10 objection is made on the grounds that the interrogatory is overly broad in its failure to
11 indicate a time or circumstance to which it refers. Without waiving said objections, the
12 Executive Summary of the Commission on Jail Violence. This document is a public record
13 and is therefore equally available to Defendant County of Los Angeles.

14 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
15 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
16 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
17 party a request within the scope of Rule 26(b). The request is seeking documents that
18 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
19 a simple request for information that is directly relevant to plaintiff's claim.

20 REQUEST NO. 18: Any and all DOCUMENTS which support the contention that the
21 COUNTY OF LOS ANGELES was deliberately indifferent to the obvious consequences of
22 its failure to train its employees adequately.

23 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
24 of the discovery process and discovery has not yet been completed. The responding party
25 is therefore unable to provide a complete answer to this interrogatory at this time. Further
26 objection is made on the grounds that the interrogatory is overly broad in its failure to
27 indicate a time or circumstance to which it refers. Without waiving said objections, the
28

1 Executive Summary of the Commission on Jail Violence. This document is a public record
2 and is therefore equally available to Defendant County of Los Angeles.

3 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
4 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
5 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
6 party a request within the scope of Rule 26(b). The request is seeking documents that
7 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
8 a simple request for information that is directly relevant to plaintiff's claim.

9 REQUEST NO. 19: Any and all DOCUMENTS which support the contention that the
10 failure of the COUNTY OF LOS ANGELES to provide adequate training caused the
11 deprivation of YOUR rights by the COUNTY OF LOS ANGELES' employees.

12 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
13 of the discovery process and discovery has not yet been completed. The responding party
14 is therefore unable to provide a complete answer to this interrogatory at this time. Further
15 objection is made on the grounds that the interrogatory is overly broad in its failure to
16 indicate a time or circumstance to which it refers. Without waiving said objections, the
17 Executive Summary of the Commission on Jail Violence. This document is a public record
18 and is therefore equally available to Defendant County of Los Angeles.

19 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
20 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
21 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
22 party a request within the scope of Rule 26(b). The request is seeking documents that
23 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
24 a simple request for information that is directly relevant to plaintiff's claim.

25 REQUEST NO. 20: Any and all DOCUMENTS which support the contention that a
26 COUNTY OF LOS ANGELES final policymaker ratified a COUNTY OF LOS
27 ANGELES' employees act that caused a violation of YOUR rights.
28

1 RESPONSE: Objection. This interrogatory is premature because we are in the beginning
2 of the discovery process and discovery has not yet been completed. The responding party
3 is therefore unable to provide a complete answer to this interrogatory at this time. Further
4 objection is made on the grounds that the interrogatory is overly broad in its failure to
5 indicate a time or circumstance to which it refers. The request is also vague and
6 ambiguous in its reference to the term "final policymaker." Without waiving said
7 objections, the Executive Summary of the Commission on Jail Violence. This document is
8 a public record and is therefore equally available to Defendant County of Los Angeles.

9 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
10 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
11 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
12 party a request within the scope of Rule 26(b). The request is seeking documents that
13 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
14 a simple request for information that is directly relevant to plaintiff's claim.

15 REQUEST NO. 21: Any and all DOCUMENTS which support the contention that a
16 COUNTY OF LOS ANGELES final policymaker knew of and specifically approved of the
17 COUNTY OF LOS ANGELES' employees' act.

18 RESPONSE: Objection. This request is vague and ambiguous in that Defendant has failed
19 to define the terms "act" and "final policymaker." Further objection is made on the ground
20 that the request fails to refer to a particular time, circumstance or even and is therefore
21 overly broad.

22 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
23 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
24 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
25 party a request within the scope of Rule 26(b). The request is seeking documents that
26 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
27 a simple request for information that is directly relevant to plaintiff's claim.
28

1 REQUEST NO. 22: Any and all DOCUMENTS which support the contention that a
2 COUNTY OF LOS ANGELES final policymaker deprived YOU of YOUR rights under
3 the United States Constitution.

4 RESPONSE: Objection. This request is vague and ambiguous in that Defendant has failed
5 to define the term "final policymaker." Further objection is made on the ground that the
6 request fails to refer to a particular time, circumstance or even and is therefore overly
7 broad. Without waiving said objections, the Executive Summary of the Commission on Jail
8 Violence. This document is a public record and is therefore equally available to Defendant
9 County of Los Angeles.

10 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
11 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
12 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
13 party a request within the scope of Rule 26(b). The request is seeking documents that
14 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
15 a simple request for information that is directly relevant to plaintiff's claim.

16 REQUEST NO. 23: Any and all DOCUMENTS which support the contention that a
17 COUNTY OF LOS ANGELES final policymaker deprived YOU of YOUR rights under
18 the laws of the United States.

19 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
20 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
21 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
22 party a request within the scope of Rule 26(b). The request is seeking documents that
23 support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is
24 a simple request for information that is directly relevant to plaintiff's claim.

25 DEFICIENCY: Plaintiff objects to the request without producing any documents. F.R.C.P.
26 Rule 26b provides that parties may obtain discovery regarding any non-privileged matter to
27 the party's claim or defense. F.R.C.P. Rule 34 provides that a party may serve on any other
28 party a request within the scope of Rule 26(b). The request is seeking documents that

support Plaintiff's claim that the County of Los Angeles caused violated her rights. This is a simple request for information that is directly relevant to plaintiff's claim.

DEFENSE'S CONTENTIONS:

Federal Rules of Civil Procedure 37(a)(3)(B)(iv) provides, "A party seeking discovery may move for an order compelling an answer, designation, production or inspection. This motion may be made if...a party fails to respond that inspection will be permitted-or fails to permit inspection-as requested under Rule 34." An evasive or incomplete disclosure, answer, or response must be treated as a failure to disclose, answer, or respond. *Fed.Rules.Civ.Proc.* Rule 37(a)(4).

PLAINTIFF'S CONTENTIONS:

Federal discovery law requires that, prior to the initiation of a motion to compel, the parties informally attempt to resolve discovery matters. (*Nevada Power Co. v. Monsanto Co.* (D.Nev. 1993) 151 F.R.D. 118, 120; *Tarkett, Inc. v. Congoleum Corp.* (E.D. Pa. 1992) 144 F.R.D. 282, 285-286; *Dondi Properties Corp. v. Commerce Sav. And Loan Ass'n* (N.D. Tex. 1988) 121 F.R.D. 284, 289 "[t]he purpose of the conference requirement is to promote a frank exchange between counsel to resolve issues by agreement or at least narrow and focus the matters in controversy before judicial resolution is sought"). Some federal courts have lamented that, "in many instances the [informal] conference requirements seems to have evolved into a pro forma matter." (*Dondi Properties Corp. v. Commerce Sav. And Loan Ass'n, supra* 121 F.R.D. at p. 289.)

In *Nevada Power Co. v. Monsanto Co., supra*, 151 F.R.D. 118, 120, the court offered the following guidelines for the conduct of an informal negotiation conference: "[T]he parties must present to each other the merits of their respective positions with the same, candor, specificity, and support during informal negotiations as during the briefing of discovery motions. Only after all the cards have been laid on the table, and a party has meaningfully assessed the relative strengths and weaknesses of its position in light of all available information, can there be a 'sincere effort' to resolve the matter."

Not only have Defendants failed in their pre-filing obligations, they have failed to present this Court any substantive basis for granting their motion to compel Plaintiff to provide further discovery responses. The Request for Production of Documents propounded by Defendant County of Los Angeles are poorly drafted and counsel for Defendant County of Los Angeles made no effort to clarify or resolve the ambiguities presented by Plaintiff. Plaintiff's objections are therefore meritorious and her answers are neither evasive nor incomplete. Indeed, Plaintiff has provided the best possible discovery response at this juncture. She cannot be required to respond to poorly drafted document production requests particularly since Defendants are contending that some of Plaintiff's claims are either barred by the applicable statute of limitations or are irrelevant. More importantly, documentation which establishes the majority of Plaintiff's claims is within the possession, custody and control of Defendants. And, the identity of employees and agents of the Los Angeles Sheriff's Department and Los Angeles County as well as additional information sought by Defendants is within their exclusive knowledge.

F. PLAINTIFF'S FAILURE TO MAKE RULE 26 DISCLOSURES
DEFENSE'S CONTENTIONS:

Fed.Rules.Civ.Proc. Rule 26 provides that a party must without awaiting a discovery request, provide to the other parties, the name and contact information of each individual likely to have discoverable information, a copy or description of all documents that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, a computation of damages, and any insurance agreements.

Plaintiff has failed to make and Rule 26 disclosures.

PLAINTIFF'S CONTENTIONS:

Federal discovery law requires that, prior to the initiation of a motion to compel, the parties informally attempt to resolve discovery matters. (*Nevada Power Co. v. Monsanto Co.* (D.Nev. 1993) 151 F.R.D. 118, 120; *Tarkett, Inc. v. Congoleum Corp.* (E.D. Pa. 1992) 144 F.R.D. 282, 285-286; *Dondi Properties Corp. v. Commerce Sav. And Loan Ass'n* (N.D. Tex. 1988) 121 F.R.D. 284, 289 "[t]he purpose of the conference requirement is to

1 promote a frank exchange between counsel to resolve issues by agreement or at least
2 narrow and focus the matters in controversy before judicial resolution is sought”]). Some
3 federal courts have lamented that, “in many instances the [informal] conference
4 requirements seems to have evolved into a pro forma matter.” (*Dondi Properties Corp. v.*
5 *Commerce Sav. And Loan Ass’n*, *supra* 121 F.R.D. at p. 289.)

6 In *Nevada Power Co. v. Monsanto Co.*, *supra*, 151 F.R.D. 118, 120, the court
7 offered the following guidelines for the conduct of an informal negotiation
8 conference: “[T]he parties must present to each other the merits of their respective positions
9 with the same, candor, specificity, and support during informal negotiations as during the
10 briefing of discovery motions. Only after all the cards have been laid on the table, and a
11 party has meaningfully assessed the relative strengths and weaknesses of its position in
12 light of all available information, can there be a ‘sincere effort’ to resolve the matter.”

13 Not only have Defendants failed in their pre-filing obligations, they have failed to
14 present this Court any substantive basis for granting their motion to compel Plaintiff to
15 provide Rule 26 disclosures. During the Rule 37-1 discovery conference, Plaintiff
16 explained to defense counsel that she had identified all of the parties and documents to
17 which she is privy at this juncture. Plaintiff further explained that most of the documents
18 that support her claims are business records of Defendants and are therefore within their
19 possession, custody and control with the exception of Plaintiff’s medical records from
20 private medical providers. As to those records, Defendants are contending that Plaintiff’s
21 2010 allegations are barred by the statute of limitations and therefore cannot be considered
22 by a trier of fact. Otherwise, Plaintiff has identified Cedars Sinai Medical Center as a
23 private medical provider who is in possession of relevant medical records.

24 Plaintiff has provided the best possible discovery response at this juncture. She
25 cannot be required to give that which she does not possess particularly since
26 documentation which establishes the majority of Plaintiff’s claims is within the possession,
27 custody and control of Defendants. And, the identity of employees and agents of the Los
28 Angeles Sheriff’s Department and Los Angeles County as well as additional information

sought by Defendants is within their exclusive knowledge.

CONCLUSION

Therefore, defendants COUNTY OF LOS ANGELES and SHERIFF BACA hereby requests that the Court issue an order compelling the plaintiff to respond to each Interrogatory, Request for Production of Documents, and Request for Admission without objection, within ten (10) days of the hearing on this motion.

PLAINTIFF'S CONCLUSION

Plaintiff respectfully requests that this Court deny Defendants' request for an order compelling Plaintiff to provide further responses to their Special Interrogatories, Request for Production of Documents and Requests for Admissions for failure their failure to adequately meet and confer and their failure to provide a basis for granting the requested relief.

DATED: September 13, 2013

NELSON & FULTON

By: s / Rina M. Mathevosian
HENRY PATRICK NELSON
RINA M. MATHEVOSIAN
Attorneys for Defendants,
County of Los Angeles and Sheriff Baca

DATED: September 13, 2013

By: s / Lecia Shorter
LECIA SHORTER
Pro Per

DECLARATION OF RINA M. MATHEVOSIAN

I, RINA M. MATHEVOSIAN, declare that if called and sworn to testify, I would state the following under oath:

1. I am an attorney licensed to practice before all courts of the State of California and admitted to the United States District Court for the central District. I am an associate employed by Nelson and Fulton, the attorneys of record for Defendants County of Los Angeles and Sheriff Baca.

2. On February 8, 2013, the Court issued a scheduling order in this case setting the discovery cut-off dates. The discovery cut off is September 6, 2013. A true and correct copy of this order is attached hereto and incorporated by reference herein as Exhibit "A".

3. On May 3, 2013, Defendant County of Los Angeles' and Sheriff Leroy Baca served Interrogatories on Plaintiff (Set one) and Requests for Production of documents (Set one). Sheriff Baca also served Request for Admissions (Set one).

4. On May 30, 2013, Plaintiff Shorter served responses to Sheriff Baca's Request for Admissions.

5. On June 6, 2013, Plaintiff Shorter served responses to Defendant Sheriff Baca's Special Interrogatories.

6. On June 8, 2013, Plaintiff served responses to County's Special Interrogatories.

7. On June 11, 2013, Plaintiff Shorter served responses to Defendant Sheriff Baca's Request for Production of Documents.

8. On June 11, 2013, Plaintiff Shorter served responses to County's Request for Production of Documents.

9. Upon receiving Plaintiff's discovery responses, I advised Plaintiff via telephone that her discovery responses were deficient.

10. On August 23, 2013, I e-mailed and mailed Plaintiff a letter outlining the deficiencies in Plaintiff's discovery responses. A true and correct copy of the letter is attached hereto as Exhibit "B."

11. On September 5, 2013, I met and conferred with Plaintiff in person in regards to Plaintiff's deficient discovery responses.

12. On September 6, 2013, I e-mailed Defendant County of Los Angeles and Sheriff Baca's Joint Stipulation to Plaintiff.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 13th day of September 2013 at Los Angeles, California.

s / Rina M. Mathevossian
RINA M. MATHEVOSIAN

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 3435 Wilshire Boulevard, Suite 2800, Los Angeles, California 90010.

On September 13, 2013, I served the within document described as:

**JOINT STIPULATION OF THE PARTIES REGARDING DEFENDANT
COUNTY OF LOS ANGELES AND SHERIFF LEROY BACA'S MOTION
TO COMPEL PLAINTIFF'S RESPONSE TO INTERROGATORIES, REQUEST
FOR PRODUCTION OF DOCUMENTS, AND REQUEST FOR ADMISSIONS**

on the interested parties in this action by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelopes addressed as follows:

LECIA L. SHORTER
287 S. Robertson Boulevard, Suite 291
Beverly Hills, CA. 90211
Pro Se

[BY MAIL] I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States mail at Los Angeles, California. I am readily familiar with the firm's practice of collection and processing correspondence for mailing, said practice being that in the ordinary course of business, mail is deposited in the U.S. Postal Service the same day as it is placed for collection.

[FEDERAL] I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed September 13, 2013 in Los Angeles, California.

s / Patricia M. Garcia
PATRICIA M. GARCIA